

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/12/96

8:00 P.M.

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

Supervisor declared Town Board Meeting open.
Girl Scout Troop 94 led the assemblage in saluting
the Flag.

Supervisor Holbrook stated that the first order of
business this evening was the awarding of a proclamation.

GIRL SCOUT WEEK
March 10-16, 1996

WHEREAS, March 12th, 1996 is the 84th anniversary of the
founding of GIRL SCOUTS OF THE U.S.A., the largest
voluntary organization for girls in the world; and

WHEREAS, Girl Scouting is a vital organization for girls who
are growing up, enabling them to develop
self-esteem and leadership skills, and providing an
atmosphere of warm and true friendships; and

WHEREAS, the Girl Scout program not only reflects the
enduring values and standards that have been part
of the organization since 1912, but also lends
itself to the special and unique situation of girls
in the 1990's; and

WHEREAS, Girl Scouts of all ages have made important
contributions to the life of this, our own home
community,

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, by virtue of
the authority vested in me as Supervisor of the Town of
Clarkstown, and on behalf of the Town Board, hereby proclaim
March 10-16, 1996, GIRL SCOUT WEEK in the Town of Clarkstown
and thus, do urge the citizens of Clarkstown to support in
every way the activities and endeavors of Girl Scouts.

RESOLUTION NO. (243-1996)

Co. Maloney offered and Co. Mandia seconded

ORDER EXTENDING CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT NO. 1 TO INCLUDE EASTERN STATE TIRE CORP., WEST
NYACK, NEW YORK, adopted and signed. (Complete Order on file
in Town Clerk's Office).

On roll call the vote was as follows:

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

RESOLUTION NO. (244-1996)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board is desirous of designating certain roads and highways within the borders of the Town of Clarkstown as having historic significance, pursuant to Chapter 25-3(C) of the Town Code of the Town of Clarkstown, and

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

WHEREAS, the present day Old Haverstraw Road (formerly known as the Kings Highway) from its intersection with the Long Clove Road to its intersection with the present day Lake Road is such a road, and

WHEREAS, the present day Kings Highway (also known as Rockland County Route 13), owned by the County of Rockland from the intersection of Lake Road in Congers south to its intersection of Maple Road in Valley Cottage, and owned by the Town of Clarkstown from the Maple Road intersection south to the intersection with Storms, Crusher, and Casper Hill Roads, is also such a road, and

WHEREAS, both roads are part of the Kings Highway shown and identified by Robert Erskine, George Washington's cartographer, on his Revolutionary War military maps of 1778, and

WHEREAS, in August of 1780, in addition to numerous other times, George Washington and his Army traveled these roadways on the way to Tappan, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby designates Old Haverstraw Road and Kings Highways, as herein mentioned, as Town Historical Highways, and will identify them with appropriate signage to mark the significance of the Kings Highway and Old Haverstraw Road in Clarkstown's history and in the history of our nation, and be it

FURTHER RESOLVED, that said Historical Highways shall be so indicated on the Official Map of the Town of Clarkstown.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Maloney..... | Yes |
| Councilman Mandia..... | Yes |
| Councilman Profenna..... | Yes |
| Councilwoman Smith..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (245A-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York (herein called "Town Board" and "Town" respectively), proposes to construct sewer improvements, consisting of the replacement of the Holland Drive and Forest Brook Avenue pump stations, the construction of upgrades and/or improvements to the Congers Road West pump station and the Foxwood Road, Klein Avenue, Little Brook Lane and Valley Terrace ejector stations, including buildings, laud

RESOLUTION NO. (245A-1996) Continued

or rights in land, original furnishings, equipment, machinery and apparatus required in connection therewith (the "Sewer Improvement"), all within the area within the Town known as MBSIA No. 1, and affecting the properties referred to in the Order Calling for a Public Hearing adopted by the Town Board on February 13, 1996, which area has been determined to be the benefited area (herein designated and referred to as the "Benefited Area"), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by Roy F. Weston of New York, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is \$1,205,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the Town Board determined to proceed with the construction of such Sewer Improvement and adopted an Order on February 13, 1996, reciting a description of the improvements proposed, a description of the proposed benefited area, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying March 12, 1996, at 8:15 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the construction of such Sewer Improvement and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town in relation thereto as may be required by law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and

WHEREAS, a public hearing in the matter of the construction of the proposed Sewer Improvement was duly held by the Town Board on this 12th day of March, 1996, commencing at 8:15 o'clock P.M. (Prevailing Time) at the Town Hall, in the Town, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the construction of said Sewer Improvement; and

WHEREAS, the Town Board has given due consideration to the impact that the construction of the Sewer Improvement may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Short Environmental Assessment Form has been filed in the office of the Town Clerk.

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RESOLUTION NO. (245A-1996) Continued

NOW, THEREFORF, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient;

(b) all the property in the proposed Benefited Area is benefited by the Sewer Improvement and all the property benefited by the Sewer Improvement is included in the proposed Benefited Area; and

(c) it is in the public interest to construct the Sewer Improvement within the Benefited area, at the estimated maximum cost of \$1,205,000.

Section 2. The construction of the Sewer Improvement within the Benefited Area is hereby approved, and such facilities are hereby authorized to be constructed, as set forth in the Order Calling for a Public Hearing, within the Benefited Area, in the Town, and said Benefited Area is more particularly described as follows:

(Description on File in Town Clerk's Office)

Section 3. The maximum amount proposed to be expended for said improvement is \$1,205,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area which the Town Board shall determine to be especially benefited by the Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which such Sewer Improvement shall confer upon the same, to pay the principal of and interest as said bonds as the same shall become due and payable.

Section 4. Permission of the New York State Comptroller is not required with respect hereto, the amount of \$1,205,000 being less than one-tenth of one per centum of the full valuation of taxable real property in the Town, outside any villages.

Section 5. The Town Clerk of the Town is hereby authorized and directed to record a certified copy of this resolution, within ten (10) days after adoption, in the office of the County Clerk of Rockland County.

Section 6. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (245B-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York (herein called "Town Board" and "Town" respectively), proposes to construct sewer improvements, consisting of the replacement of the Holland Drive and Forest Brook Avenue pump stations, the construction of upgrades and/or improvements to the Congers Road West pump station and the Foxwood Road, Klein Avenue, Little Brook Lane and Valley Terrace ejector stations, including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required in connection therewith (the "Sewer Improvement"), all within the area within the Town known as MRSIA No. 1, and affecting the properties referred to in the Order Calling for a Public Hearing adopted by the Town Board on February 13, 1996, which area has been determined to be the benefited area (herein designated and referred to as the "Benefited Area"), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by Roy F. Weston of New York, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is \$1,205,000, which is planned to be financed by the issuance of serial bonds of the Town and levy and collection of special assessments from the several lots and parcels of land within the Benefited Area, which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, and

WHEREAS, after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to construct said Sewer Improvement within the Benefited Area, and ordered that such Sewer Improvement be constructed at the estimated maximum cost of \$1,205,000; and

WHEREAS, permission of the New York State Comptroller is not required with respect hereto, the amount of \$1,205,000 being less than one-tenth of one per centum of the full valuation of taxable real property in the Town, outside of any villages;

NOW, THEREFORE, BE IT,

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

Section 1. The Town hereby appropriates the amount of \$1,205,000 for the proposed construction of the Sewer Improvement, as described in the Recitals hereto, within the Benefited Area, in accordance with the map, plan and report referred to in the Recitals hereof, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,205,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$1,205,000 to finance said appropriation and the levy and collection of special assessments from the several lots and parcels of land

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RESOLUTION NO. (245B-1996) Continued

within the Benefited Area, which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$1,205,000 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:

(a) The period of probable usefulness of the specific object or purpose for which said \$1,205,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(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 exceed five (5) years.

Section 4. Each of the serial 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 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 or rate of 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 authorization of 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 Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form 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.

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RESOLUTION NO. (245B-1996) Continued

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

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

Section 7. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (245C-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "JOURNAL NEWS," a newspaper published in Nyack, New York, and in the "CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation within the Town and hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (246A-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York (herein called "Town Board"

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RESOLUTION NO. (246A-1996) Continued

and "Town" respectively), proposes to construct sewer improvements, consisting of the installation of approximately 700 feet of 8-inch sewer line for the Pipetown Hill Road Sewer, the installation of approximately 800 feet of 8-inch sewer line for the Mill Creek Road Sewer and the installation of approximately 1,900 feet of 8-inch sewer line for the Route 9W Sewer Extension, including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required in connection therewith (the "Sewer Improvement"), all within the area within the Town known as MBSJA No. 2, and affecting the properties referred to in the Order Calling for a Public Hearing adopted by the Town Board on February 13, 1996, which area has been determined to be the benefited area (herein designated and referred to as the "Benefited Area"), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by Roy F. Weston of New York, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is \$245,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the Town Board determined to proceed with the construction of such Sewer Improvement and adopted an Order on February 13, 1996, reciting a description of the improvements proposed, a description of the proposed benefited area, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection and specifying March 12, 1996, at 8:20 o'clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the construction of such Sewer Improvement and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town in relation thereto as may be required by law; and

WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and

WHEREAS, a public hearing in the matter of the construction of the proposed Sewer Improvement was duly held by the Town Board on this 12th day of March, 1996, commencing at 8:20 o'clock P.M. (Prevailing Time) at the Town Hall, in the Town, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the construction of said Sewer Improvement; and

WHEREAS, the Town Board has given due consideration to the impact that the construction of the Sewer Improvement may have on the environment and on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied

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RESOLUTION NO. (246A-1996) Continued

in every respect with all applicable federal, state and local laws and regulations regarding environmental matters including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, a duly executed Short Environmental Assessment Form has been filed in the office of the Town Clerk.

NOW, THEREFORE, upon the evidence adduced at such public hearing, be it

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

- (a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient;
- (b) all the property in the proposed Benefited Area is benefited by the Sewer Improvement and all the property benefited by the Sewer Improvement is included in the proposed Benefited Area; and
- (c) it is in the public interest to construct the Sewer Improvement, within the Benefited Area, at the estimated maximum cost of \$245,000.

Section 2. The construction of the Sewer Improvement within the Benefited Area is hereby approved, and such facilities are hereby authorized to be constructed, as set forth in the Order Calling for a Public Hearing, within the Benefited Area, in the Town, and said Benefited Area is more particularly described as follows:

(Description on File in Town Clerk's Office)

Section 3. The maximum amount proposed to be expended for said improvement is \$245,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area which the Town Board shall determine to be especially benefited by such Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which such Sewer Improvement shall confer upon the same, to pay the principal of and interest as said bonds as the same shall become due and payable.

Section 4. Permission of the New York State Comptroller is not required with respect hereto, the amount of \$245,000 being less than one-tenth of one per centum of the full valuation of taxable real property in the Town, outside of any villages.

Section 5. The Town Clerk of the Town is hereby authorized and directed to record a certified copy of this resolution, within ten (10) days after adoption, in the office of the County Clerk of Rockland County.

Section 6. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION (246B-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York (herein called "Town Board" and "Town" respectively), proposes to construct sewer improvements, consisting of the installation of approximately 700 feet of 8-inch sewer line for the Pipetown Hill Road Sewer, the installation of approximately 800 feet of 8-inch sewer line for the Mill Creek Road Sewer and the installation of approximately 1,900 feet of 8-inch sewer line for the Route 9W Sewer Extension, including buildings, land or rights in land, original furnishings, equipment, machinery and apparatus required in connection therewith (the "Sewer Improvement"), all within the area within the Town known as MBSIA No. 2, and affecting the properties referred to in the Order Calling for a Public Hearing adopted by the Town Board on February 13, 1996, which area has been determined to be the benefited area (herein designated and referred to as the "Benefited Area"), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by Roy F. Weston of New York, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is \$245,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area, which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to construct said Sewer Improvement within the Benefited Area, and ordered that such Sewer Improvement be constructed at the estimated maximum cost of \$245,000; and

WHEREAS, permission of the New York State Comptroller is not required with respect hereto, the amount of \$245,000 being less than one-tenth of one per centum of the full valuation of taxable real property in the Town, outside of any villages;

NOW, THEREFORE, be it

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

Section 1. The Town hereby appropriates the amount of \$245,000 for the construction of the Sewer Improvement, as described in the Recitals hereto, in accordance with the map, plan and report referred to in the Recitals hereof, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$245,000 and the plan of financing includes the issuance of serial bonds of the Town in the principal amount of \$245,000 to finance said appropriation and the levy and collection of special

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RESOLUTION NO. (246B-1996)

assessments from the several lots and parcels of land within the Benefited Area, which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$245,000 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:

(a) The period of probable usefulness of the specific object or purpose for which said \$245,000 serial bonds are authorized to be issued, within the limitations of Section 11.00 a.4. of the Law, is forty (40) years.

(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 or purposes 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 exceed five (5) years.

Section 4. Each of the serial 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 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 authorization of 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 Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form 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.

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RESOLUTION NO. (246B-1996) Continued

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

Section 7. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (246C-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk of the Town of Clarkstown, in the County of Rockland, New York, is hereby directed to publish the foregoing bond resolution, in full in "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and in the "CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation within the Town and hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (247-1996)

Co. Smith offered and Co. Maloney seconded

Rockland County Consortium Towns and Villages
Community Development Citizen Viewpoint - 1996 Program Public Hearings

(Program on file in Town Clerk's Office)

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RESOLUTION NO. (247-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (248-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of February 27, 1996 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (249-1996)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the New City Fire Department has brought to the Town Board's attention the need for preemption lights to improve safety in responding to emergencies, and

WHEREAS, the Town Board feels this is of the utmost importance because of the safety factor:

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests that the Rockland County Consortium include in its 1996 Community Development Funds, the amount of \$18,000 to help cover the costs for a Traffic Light Preemption System in the Town of Clarkstown.

On roll call the vote was as follows:

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

RESOLUTION NO. (250-1996)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the New City Fire Department has brought to the Town Board's attention of the need for preemption lights to improve safety in responding to emergencies, and

WHEREAS, the Town Board feels this is of the utmost importance because of the safety factor;

Continued on Next Page

RESOLUTION NO. (250-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby request that Senator Joseph Holland and Assemblyman Alex Gromack, as members of the Legislature, to include in the 1996 State Budget an amount to help cover the costs of a Traffic Light Preemption System in the Town of Clarkstown by the New City Fire District.

On roll call the vote was as follows:

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

RESOLUTION NO. (251-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that it is the intent of the Town Board to move forward with the revaluation, and hereby directs the Assessor's Office to work up a request for proposal and interview competent available firms and make a recommendation to the Town Board.

On roll call the vote was as follows:

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

RESOLUTION NO. (252-1996)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to section 22-2A and 2B of the Town Code at:

| | | |
|-------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Annual Senior Citizen Show Cast Party April 20, 1996 Congers Community Center Gilchrest Road Congers, New York | AND | Annual Senior Citizen Picnic June 11, 1996 (Raindate: June 12th) Congers Lake Memorial Park Gilcrest Road Congers, New York |
|-------------------------------------------------------------------------------------------------------------------------------|-----|-----------------------------------------------------------------------------------------------------------------------------------------------|

On roll call the vote was as follows:

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

RESOLUTION NO. (253-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the Nyack High School Parent Teacher Association, a non-profit organization, to provide services and programs for residents of the Town of Clarkstown, pursuant to the proposal of February 26, 1996, that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate the sum of \$1,500.00 in economic assistance to the Nyack High School Parent Teacher Association, and be it

FURTHER RESOLVED, that these funds are to be charged against Account No. A 8840-424.

On roll call the vote was as follows:

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

RESOLUTION NO. (254-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Town Comptroller to exercise the Town of Clarkstown's option to terminate an agreement with EUA Cogenex Corporation, Project No. 608.

On roll call the vote was as follows:

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

RESOLUTION NO. (255-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Cathy L. Conklin, Supervising Real Property Appraiser and Robert W. Davies, Real Property Appraiser, are hereby authorized to attend a seminar on "Small Claims Assessment Review" sponsored by the Mid-Hudson Chapter on Wednesday, March 13, 1996, at the Best Western Inn, Poughkeepsie, New York.

FURTHER RESOLVED, that all proper charges be charged against line 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (256-1906)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that John F. Mauro, Superintendent of Highways and George Drescher, Highway Maintenance Supervisor III, are hereby authorized to attend the 1996 Highway School to be held in Ithaca, New York on June 2,3,4,5, 1996, and

BE IT FURTHER RESOLVED, that all necessary expenses be allocated against appropriation account No. DB-5110-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (257-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Edward J. Duer, Comptroller, is hereby authorized to attend the New York State Government Finance Officers Association conference, March 27-29, 1996, at Albany, New York, and all necessary charges be charged to A 1010-414 (Schools & Conferences).

On roll call the vote was as follows:

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

RESOLUTION NO. (258-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board's recommends, on its own motion, that the Zoning Ordinance of the Town be amended by redistricting property owned by the Palisades Interstate Park from an MF-1 District to an R-80 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 138, Block H, Lots 8, 10 and 11;

NOW, THEREFORE, be it

RESOLVED, that this resolution is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33(A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 9th day of April, 1996, at 8:00 P.M., relative to the proposed amendment, and be it

Continued on Next Page

RESOLUTION NO. (258-1996) Continued

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (259-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown entered into an agreement with the County of Rockland on January 30, 1990 for financial assistance in the Town of Clarkstown's drug law enforcement activities, and

WHEREAS, the County of Rockland, by Resolution No. 366-1990, has agreed to amend the aforesaid agreement to fund assignments of police officers additionally to the Mid-Hudson Regional Task Force;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an amended agreement with the County of Rockland accepting financial assistance for the Town of Clarkstown's law enforcement activities whereby the Town would provide the Rockland County Narcotic Task Force or the Mid-Hudson Regional Task Force with a member of the Town of Clarkstown Police Department for drug fighting activities, and in return the County of Rockland would partially reimburse the Town for one police officer in the amount of \$25,000.00, and the sum of \$7,500.00 for partial reimbursement of overtime expenses for one police officer of the Town of Clarkstown assigned to the Rockland County Narcotics Task Force or Mid-Hudson Regional Task Force, in a form satisfactory to the Town Attorney, for the year 1990, and be it

FURTHER RESOLVED, that all other terms and conditions of the agreement between the Town and the County dated January 30, 1990 shall remain in full force and effect.

On roll call the vote was as follows:

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

RESOLUTION NO. (260-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Highway Department to enter into an agreement with Robert Ries, in a form satisfactory to the Town Attorney, which agreement shall grant permission to the Town of Clarkstown the right to pile snow on private property in the area of Scarlett Court, New City, New York, in return for the Town salting and plowing a certain section of Scarlett Court, New City, in inclement weather.

On roll call the vote was as follows:

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

RESOLUTION NO. (261-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Management Insitute, Suny/Rockland has submitted a proposal dated March 7, 1996, at the Town Board's request;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Management Institute, Suny/Rockland, Suffern, New York, for the purpose of conducting Sexual Harassment Training for Town of Clarkstown employees, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the amount of \$3,195.00 and shall be charged to Account No. A-1010-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (262-1996)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Mini-Trans is purchasing a high pressure bus washer, and be it

THEREFORE RESOLVED, to decrease Appropriation Account No. A 5630 312 (Auto Maintenance Supplies) and increase A 5630 (Auto Repair Equipment) by \$2,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (263-1996)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, various Appropriation Accounts require additional funds, and be it

THEREFORE RESOLVED, to decrease Contingency Account Number A 1990 505 by \$839 and increase the following Appropriation Accounts:

- A 1220 203 (Supervisor-Office Machines)..... \$794.00
- A 9785 740 (Installment Purchases-Interest) ... \$ 45.00

On roll call the vote was as follows:

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

RESOLUTION NO. (264-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #12-1996
FIRST AID SUPPLIES

is hereby awared to:

MICRO BIO-MEDICS
846 Pelham Pkwy
Pelham Manor, NY 10803
Principals: Public Corp.

EVERREADY FIRST AID
385 Union Ave.
Brooklyn, NY 11211
Principal: Eva Silberstein

GARDNER SURGICAL SUPPLY
382 Broadway
Brooklyn, NY 11211
Principals:
Robert Silverstein
Judith Silverstein
Fannie Gardner

RES-Q ASSOCIATES
84 Main Street
Kings Park, NY 11754
Principal: Reeve Conover

NATIONAL HEALTH SUPPLY CORP
PO Box 737
2 South Street
Garden City, NY 11530
Principals: David Saft
Stanley Saft

JOHN B. GARRETT, INC.
5 Charles Park Blvd.
Guilderland, NY 12084
Principals: James Ohlsen
James Jacobs

EASTCO INDUSTRIAL SAFETY
CORP.
130 W. 10th Street
Huntington Station, NY 11746
Principals: Public Corp.

AMZCO HEALTH SUPPLY
200 N. Main Street
Freeport, NY 11520
Principal: Javaid Ratcher

G.E. PICKERING, INC.
263 Glen Cove Ave.
Sea Cliff, NY 11579
Principal:
George E. Pickering

KENCO SAFETY PRODUCTS
PO Box 419, Route 28
West Hurley, NY 12491
Principals: Elizabeth Kennedy
William Kennedy, James Kennedy
Carol Kennedy

(Price schedule on file in Town Clerk's Office)

Continued on Next Page

RESOLUTION NO. (264-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (265-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.F.A., Richard Davison, 125 Ridge Road, New City, New York - Assistant Maintenance Mechanic - Maintenance Department - is hereby granted a Sick Leave of Absence - at one-half pay - effective and retroactive to February 28, 1996 to March 28, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (266-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Michael Peterson, 1 Old Lake Road, Valley Cottage, New York - Groundworker - Parks Board and Recreation - is hereby granted a Sick Leave of Absence - at one-half pay - effective and retroactive to March 8, 1996 to April 8, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (267-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Josephine Walsh has requested a 2 month leave of absence, without pay, and

WHEREAS, Article XIX, Section 1 of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. provides for a leave of absence, without pay,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (267-1996)

RESOLVED, that Josephine A. Walsh, 209 Radcliff Drive, Upper Nyack, New York - Senior Stenographer - Highway Department - is hereby granted a two (2) month leave of absence, without pay, effective and retroactive to March 8, 1996 to May 6, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (268-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on March 4, 1996 that the position of Refreshment Stand Attendant II (Seasonal) - Parks Board and Recreation Commission - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Refreshment Stand Attendant II (Seasonal) - Parks Board and Recreation Commission - is hereby created - effective March 18, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (269-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of James J. Kelley, 45 Rennert Lane, Bardonia, New York - to the position of Laborer - Highway Department - at the current 1996 annual salary of \$23,340, effective and retroactive to March 4, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (270-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby recognizes the

Continued on Next Page

RESOLUTION NO. (270-1996) Continued

appointment by the Superintendent of Highways of Robert L. Bailey, 16B Gail Drive, Nyack, New York - to the position of Automotive Mechanic I - Highway Department - at the current 1996 annual salary of \$30,269, effective and retroactive to February 26, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (271-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of Ralph Buckhout, 35 Short Hill Road, New City, New York - Custodial Worker - Maintenance Department - is hereby accepted - with regret - effective and retroactive to March 2, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (272-1996)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Salary Schedule for all Town Officials and Employees, adopted January 2, 1996, is hereby amended to fix 1996 salaries for the following employees, as set forth hereafter:

| | |
|-------------------|--------------------|
| Diane Papenmeyer | \$11,303 per annum |
| Marie Molinare | \$15.00 per hour |
| Rudy Damonti | \$10.69 per hour |
| Susan Paradiso | \$10.69 per hour |
| Nils Eckhart | \$21.96 per hour |
| Christine Collins | \$ 9.39 per hour |
| Helen Kelly | \$ 9.93 per hour |
| Lisa Kloenne | \$19.82 per hour |
| Pamela Peck | \$19.01 per hour |
| Joyce Barone | \$13.92 per hour |
| Morton Leifer | \$28,770 per annum |
| Dr. I. Rosen | \$21,578 per annum |

effective and retroactive to March 11, 1996

On roll call the vote was as follows:

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

RESOLUTION NO. (273-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the sidewalk along Kings Highway in New City is hereby designated as a school sidewalk.

On roll call the vote was as follows:

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

RESOLUTION NO. (274-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, DANIEL WEISBERG v. THE TOWN OF CLARKSTOWN, THE TOWN ATTORNEY OF TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (275-1996)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a qualified appraiser, including expert testimony, to provide such services for the Town of Clarkstown with respect to the proposed purchase of property located at New City-Congers Road, New City, New York, designated on the Clarkstown Tax Map as Map 58, Block G, Lot 16, in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fees for such appraisal services shall be charged to Account A-1420-409.

On roll call the vote was as follows:

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

RESOLUTION (276-1996)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to extend a contract with Rockland Computer Associates, Inc., on a month to month basis, for a period no longer than June 30, 1996, at the same terms and conditions, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 1, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (277-1996)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a qualified appraiser, including expert testimony, to provide such services for the Town of Clarkstown with respect to the proposed sale of Town property located at the former Sanitary Landfill being designated on Schedule "A", in the Town of Clarkstown, and be it

FURTHER RESOLVED, that the fees for such appraisal services shall be charged to Account A-1420-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (278-1996)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown is the owner of a certain parcel of land being part of the former Sanitary Landfill site, West Nyack, New York, being more particularly described on Schedule "A" annexed hereto, and

WHEREAS, EklecCo has offered the sum of \$1,500,000.00 to purchase such property, and

WHEREAS, the Town is considering disposing of said property as surplus property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby declares that the Town property, being part of the former Sanitary Landfill site, West Nyack, New York, being more particularly bounded and described on Schedule "A" annexed hereto to be surplus municipal property, and be it

RESOLUTION NO. (278-1996) Continued

FURTHER RESOLVED, that the Town Board hereby accepts the offer made by EklecCo, to purchase property being part of the former Sanitary Landfill site, as shown on the annexed Schedule "A" for the sum of \$1,500,000.00, and which equals the fair market value of said surplus property, ten (10%) on the signing of a contract, and the balance of which is payable within forty five days from the date of publication of a notice of this sale, which sale is subject to the following:

1. 99 year lease to the Town of Clarkstown;
2. Easements, covenants and restrictions of record, as set forth by the Town of Clarkstown;
3. Zoning Ordinance of the Town of Clarkstown;
4. Such state of facts as an accurate survey or personal inspection may reveal.

and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby directed to execute a contract of sale and a bargain and sale deed, in a form satisfactory to the Town Attorney, for delivery to the purchaser in accordance with the terms of this Resolution, and be it

FURTHER RESOVLED, that this Resolution is subject to Permissive Referendum.

On roll call the vote was as follows:

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

RESOLUTION NO. (279-1996)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Director of Environmental Control of the Town of Clarkstown be hereby authorized to retain the services of Felter's Tree Service, Stony Point, New York to perform the following work:

Tree removal at the following locations: 5 Roland Court, Nanuet; 13 Norwood Place, Nanuet; and 175 Terrace Avenue, Congers, at a sum not to exceed \$800.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (280-1996)

Co. Maloney offered and Co. Mandia seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of the 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 acquire energy conservation equipment pursuant to the Energy Services Lease Agreement between EUA Cogenex Corporation and the Town, dated May 1, 1991, by payment of the "Termination Price," as that term is defined in such lease agreement. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$90,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$90,000 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.

Section 2. Serial bonds of the Town in the principal amount of \$90,000 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:

(a) The period of probable usefulness of the object or purpose for which said serial bonds are authorized to be issued may exceed five (5) 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 (5) years.

Section 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.

RESOLUTION NO. (280-1996) Continued

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 authorization of 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 Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form 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, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, 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

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

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in full, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "THE JOURNAL NEWS," a newspaper published in Nyack, New York, and in "THE CLARKSTOWN COURIER," a newspaper published in Pearl River, New York, each having a general circulation in the Town and hereby designated the official newspapers of said Town for such publication.

On roll call the vote was as follows:

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

RESOLUTION NO. (281-1996)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Employee No. 723411 has been continuously absent from and unable to perform the duties of his position for one year or more pursuant to Section 73 of the Civil Service Law; and

Continued on Next Page

RESOLUTION NO. (281-1996) Continued

WHEREAS, said employee is to be provided a pretermination opportunity to be heard pursuant to Section 73 of the Civil Service Law;

NOW, THEREFORE, BE IT RESOLVED, that Charles Connington is hereby appointed to provide the aforementioned opportunity to be heard to said employee pursuant to Section 73 and is hereby directed to provide findings and recommendations to the Town Board forthwith to allow the Board to render a determination as to the employment status of said employee.

On roll call the vote was as follows:

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

RESOLUTION NO. (282-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Solid Waste Authority has designated the Town of Clarkstown as the host community for the county-wide composting of yard waste, and

WHEREAS, Lenty, Inc. presently has a contract to manage yard waste composting in the Town of Clarkstown.

NOW BE IT

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to modify and extend the agreement with Lenty, Inc., in a form acceptable to the Town Attorney and the Director of the Department of Environmental Control, to expire on March 31, 2003, and be it

FURTHER RESOLVED, that the extended contract shall continue at the present rate until March 31, 1998, after which the rate shall be raised annually in accordance with the Consumer Price Index.

On roll call the vote was as follows:

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

RESOLUTION NO. (283-1996)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Solid Waste Authority has designated the Town of Clarkstown as the host community for the county-wide composting of leaves, and

WHEREAS, Organic Recycling, Inc. presently has a contract to manage leaf composting in the Town of Clarkstown,

Continued on Next Page

RESOLUTION (283-1996) Continued

NOW be it

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to modify and extend the agreement with Organic Recycling, Inc., in a form acceptable to the Town Attorney and the Director of the Department of Environmental Control, to expire to March 31, 2003,

AND be it

FURTHER RESOLVED, that the extended contract shall continue at the present rate until March 31, 1998, after which the rate shall be raised annually in accordance with the Consumer Price Index.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Maloney..... | Yes |
| Councilman Mandia..... | Yes |
| Councilman Profenna..... | Yes |
| Councilwoman Smith..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (284-1996)

Co. Mandia offered and Co. Smith seconded

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

COPPOLA SERVICES, INC.
179 Route 303
Valley Cottage, NY 10989

RESOLVED, that the following Certificate of Registration be issued:

No. 96-16 Coppola Services, Inc.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Maloney..... | Yes |
| Councilman Mandia..... | Yes |
| Councilman Profenna..... | Yes |
| Councilwoman Smith..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (285-1996)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board, on its own motion, is recommending that the Zoning Ordinance of the Town be amended by redistricting property designated on the Clarkstown Tax Map as Map 108, Block B, Lot 14.02, 5.07, 5.08, from an R-22 District to an R-15 District;

NOW, THEREFORE, be it

RESOLVED, that this Resolution is hereby referred to the Clarkstown Planning Board for report pursuant to Section

Continued on Next Page

RESOLUTION NO. (285-1996) Continued

290-33(A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 23rd day of April, 1996, at 8:00 P.M., relative to the proposed amendment, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....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 and seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 8:45 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/96

8:00 P.M.

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

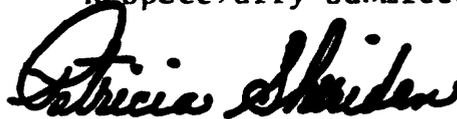
RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY
DISTRICT #1 TO INCLUDE EASTERN STATE TIRE CORP.,
WEST NYACK, NEW YORK

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question. No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia, and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:03 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (243-1996) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/96

8:05 P.M.

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

RE: DESIGNATING OLD HAVERSTRAW ROAD AND KINGS HIGHWAY,
CONGERS/VALLEY COTTAGE, NEW YORK, AS HISTORICAL
HIGHWAYS

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question. No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Smith, and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:07 P.M.

Respectfully submitted,


PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (244-1996) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/06

8:10 P.M.

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

RE: PROPERTY MAINTENANCE OF JODI-LYNN WASHOMATIC, INC.,
LADY GODIVA WAY AND LONG MEADOW LANE

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question.

Appearance: Monty Goldstein
43 Lady Godiva Way, New City

Mr. Goldstein commented he has been living on Godiva Way for 3 years and has seen building going on with progressive dumping and property looking horrendous. Building materials and garbage bags have been dumped with no effort to clean up. Supervisor Holbrook inquired if there had been any improvement in recent weeks. Mr. Goldstein responded that there had recently been tremendous improvement. Bulldozers had been clearing up and garbage removed. Supervisor Holbrook said concerns had been expressed regarding the condition of a retention basin that exists there. Mr. Goldstein said that is correct and to this point there was no barrier to a large body of water with basically open access to everybody. Up until now people with small children could not allow them to move about the block or area. Supervisor Holbrook asked was it their concern that a safety barrier surround that retention basin? Mr. Goldstein said that was correct and there was an orange sheet barrier set up over the last week.

Appearance: Mrs. Abadir
21 Lady Godiva Way, New City

This resident stated she lived on the block over 3 years. There was supposed to be a pond, but they never did anything. It's dangerous for kids to walk and drive around the area. Supervisor Holbrook said a date was set for a Public Hearing, but apparently in the interim the developer has settled the dispute. Supervisor Holbrook said that Mr. Price is present and if we hear from him maybe he will speak to specific issues raised. While there has been tremendous improvement in recent weeks, we don't want to see it stopped here and he can give us an idea as to when we can expect this place to be built and new homes finished.

Appearance: Mr. Art Price, Builder

The Schulsons and Mr. Price have been disputing over this property for the last five years. The court has ordered settlement awarding the Camelot to Mr. Price. The papers are not final nor does he have title yet but attorneys assured him any money invested now would be safe because property will become his in a week or two. As a result, he brought machines in two weeks ago to clean up. While clean up was being done, Building Department notified him of the Public Hearing. It is a coincidence work was being done then because he did not know about the meeting. Arrangements are being made with a contractor to start work on the pond and will probably be finished by end of May or early June. As soon as he has title, he will contract and have the work done. Supervisor Holbrook asked about building on the remaining lots, stating the problem is taking a long time and can we expect remaining

Continued on Next Page

lots to be constructed in 1996?. Mr. Price intends to build a high end subdivision, with houses that are similar in scope to the houses existing today, typically in \$500,000.00 range.

Appearance: Mr. Steve Gold
28 Lady Godiva Way, New City

Resides what's going on with developers, other problems exist. One is road maintenance. He spoke to his Assemblyman and was told the Town is not supposed to be doing anything on the roads. They're doing us a favor. It's not a dedicated area. Mr. Gold complained about the roads during the snowy winter and a pothole in front of his driveway. The Town said they could not doing anything because the road is not dedicated. Mr. Gold went ahead with his own blacktop and filled hole. He and neighbors are paying \$100,000.00 in taxes with no services because developers are fighting. Supervisor Holbrook indicated problems have existed since 1985-86 and from what Mr. Price has said we may be at the end of this long journey because the Court has awarded Mr. Price the property and he intends to build houses, which is the ultimate solution. Mr. Gold asked if the Town is going to give a deadline. Supervisor Holbrook suggested we not terminate the Hearing, but reconvene at the first meeting in May to see where we are at. We should be in good weather with the pond under construction and Mr. Price having ownership and hopefully moving forward to build out this development, which will then lead to the road dedication. Mr. Gold asked if the Town would give a deadline. Supervisor Holbrook said Mr. Price wants to build out this year. Mr. Price said yes, if he can. Mr. Gold said if he doesn't, we still have the problems. Supervisor asked if the older part of Godiva Way had a top coarse. Mr. Price said no. Supervisor Holbrook asked if he was responsible for putting it on. Mr. Price said he was responsible when he gets ready to dedicate it. Mr. Gold said we're in catch 22 and someone will get hurt. Supervisor said that the road has been in long enough that a top coarse could be put on the established portion this year before the winter season and we could dedicate that portion of Godova Way. Mr. Price said there are ten more houses to be built and the Town would not be happy about doing a dedication and then being responsible while he's putting ten more houses in. Supervisor asked Luke about putting up an amount of money for the topping of Godiva Way. Maybe we could take the dedication of that portion holding that money until the ten lots are built because some of these people have been living on Godiva Way for five years. Mr. Gold said that what concerns them is when the tax bill comes, they have to pay it on time. Supervisor Holbrook said the best way to go is to take dedication of this road in 1996, hold the money in escrow waiting for the topping. This way we won't have this situation. We will reconvene to the first of May to see what progress we've made toward building these homes

Appearance: Mr. Stan Friedman
37 Lady Godiva Way, New City

Mr. Price is sincere, but our frustration is that there must be a timetable. If his intention is to build houses where do we stand? Supervisor Holbrook said they will take dedication to the portion of Lady Godiva Way that is established in 1996. Mr. Friedman asked if a portion of their tax dollars goes toward maintenance. Supervisor Holbrook said yes. Mr. Friedman asked if those services are not being performed, where are they going? Supervisor Holbrook said it's going to the Town and the Town is using it to perform services elsewhere. Mr. Friedman said what they're saying is,

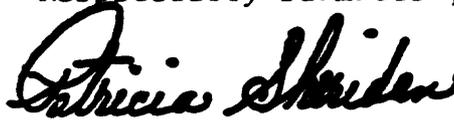
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if it doesn't get done, can't it be allocated to clearing the streets. Supervisor Holbrook said it can, but we don't want to take that position. So we'll take dedication so the Highway Dept. can go into that road. We don't have to go through that extra step you're talking about. Mr. Friedman said that waiting till May won't solve the issue because Mr. Price can't decide if there will be buyers. Supervisor Holbrook said we'll ask Luke to give us a figure that would indicate the amount of money that needs to be held by the Town to ensure that the road, when it's completed, would be a new road up to Town specs. We have a certain amount now, we might need a certain amount extra. We'll quantify that amount before May 1st so we can move to take dedication of the street and the Town is prepared to do that. Holding the money ensures the Town does not have to go in there and pay to do what the developer should do and what you paid in the price of your homes to do. If we hold sufficient funds we can dedicate the roads. We're going to put an end to this so this madness ceases.

Town Councilman Mandia said the the point we're trying to make is if school buses use it, there's a public safety issue. If it's an undedicated road, we are plowing undedicated property and we are breaking the law. The only way we can do this is to declare it a safety issue and we have done that. Supervisor Holbrook said we want to put an end to it and the way is for us to take dedication of the road as soon we can, quantify the amount of money we need to hold to ensure that when all homes are constructed that road can be brought up to Town specs. Then, if it snows or a tornado hits or whatever, the Town services can be provided without declaring an emergency. The subject of this hearing is the condition of the property and that meeting will be continued in May. The issue of the road can be dealt with prior to that and that's what we intend to do. If we have a figure we can provide to the developer as soon as he gets title, we can move on that. To bring this Public Hearing to closure, the Town Board is of a mind to resolve this regarding the road and at the same time keep the developer's feet to the fire in terms of maintenance of properties there. We've heard a commitment from the developer. At the first meeting in May, we will reconvene the property issue.

On motion of Councilman Maloney, seconded by Councilman Mandia, and unanimously adopted, the public hearing was adjourned sine die to May 14, 1996, time: 8:27 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/96

8:30 P.M.

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

RE: PROPERTY MAINTENANCE 29-31 OLD MIDDLETOWN ROAD
NANUET (SAPPAH)

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question.

Appearance: Ralph Milich
Building Inspector

Mr. Milich gave a report from Code Enforcement Officer who inspected property that morning. There hasn't been any change to the property - it looks like a junkyard.

Appearance: Charles Sappah
(Representing his parents, Alfred and Mary Sappah)

They realize the situation is out of hand and have taken steps to correct it. The delay was due to weather conditions. His father is 81 years old. It's not as bad as it looks in pictures. It will be cleaned up. We buy and sell equipment. Supervisor Holbrook suggested adjourning meeting to the first meeting in May to give them time to clean up. Mr. Sappah said you will see a big change.

Councilman Maloney, seconded by Councilman Mandia, and unanimously adopted, the public hearing was adjourned sine die to May 14, 1996, time: 8:34 P.M.

Respectfully submitted,



PATRICIA SPERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/96

8:35 P.M.

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

RE: CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN THE
MASTER BENEFITED SEWER IMPROVEMENT AREAS No. 1 AND
2, IN THE TOWN OF CLARKSTOWN

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question. No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia, and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:37 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NOS. (245-1996 and 246-1996) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

TOWN HALL

3/12/96

8:38 P.M.

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

RE: COMMUNITY DEVELOPMENT FUNDS FOR 1996 PROGRAM FOR
ROCKLAND COUNTY CONSORTIUM OF TOWNS AND VILLAGES

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

Supervisor Holbrook asked if anyone present wished to comment or ask a question. No one appeared.

There being no one wishing to be heard, on motion of Councilman Smith, seconded by Councilman Maloney, and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:39 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (247-1996) ADOPTED