

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

5/14/85

8:35 P.M.

Present: Supervisor Dusanenko
Councilman Carey, Holbrook, Lettreg, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Dusanenko declared the Town Board Meeting open. Assemblage saluted the Flag. Supervisor stated that tonight's meeting would be on TKR on Thursday evening at 7:30 P.M. rather than Wednesday. Supervisor also apologized for being late starting this meeting explaining that the Town Board had an Executive Session first.

Supervisor read the following proclamation:

"NATIONAL PUBLIC WORKS WEEK
May 19th - 25th, 1985

- WHEREAS, the myriad of public works services which are provided by the Town of Clarkstown, through its Highway Department, Sewer Department, Landfill Department and Environmental Control Department, are an integral part of our citizens' everyday lives; and
- WHEREAS, a supportive, informed and understanding citizenry is vital to the efficient operation of the public works programs provided by these departments; and
- WHEREAS, the health, safety and comfort of this community greatly depend on these maintenance programs and emergency services; and
- WHEREAS, the quality and effectiveness of these public works services, as well as their planning, design and implementation are vitally dependent upon the efforts and skills of our elected and appointed department heads; and
- WHEREAS, the efficiency of the qualified and dedicated personnel who staff these agencies is materially influenced by the people's attitude and understanding of the importance of the work they perform;

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, on behalf of the Town Board, do hereby proclaim May 19th - 25th, 1985 as "NATIONAL PUBLIC WORKS WEEK" in the Town of Clarkstown and call upon all citizens and civic organizations to acquaint themselves with the procedures involved in providing our public works and to recognize the contributions that our Highway Department, Sewer Department, Landfill Department, Environmental Control Department; their supervisory personnel, and their staff of more than 118 hardworking men and women, make every day to our health, safety and comfort.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN OF
CLARKSTOWN TO BE AFFIXED THIS 14TH DAY
OF MAY, 1985.

/s/ Theodore R. Dusanenko

SEAL

THEODORE R. DUSANENKO, Supervisor
Town of Clarkstown"

Supervisor Dusanenko stated that he would like everyone in the Town of Clarkstown to retain their Parks Board and Recreation brochure as it contained valuable information.

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At this point Luke Kalarickal of the Environmental Department and Nicholas Longo, Superintendent of Highways, accepted the proclamation regarding National Public Works Week.

Supervisor declared the public portion of the Town Board Meeting open.

Appearance: Mrs. Sharon Habif
18 Arbor Lane
Bardonia, New York 10954

Mrs. Habif urged the Town Board to appeal the judge's decision regarding the zone change on Bardonia Road allowing the shopping center.

Town Attorney said that the office of the Town Attorney had made no recommendations yet. They were studying the decision and had thirty days from the date of the decision which was last Monday or Tuesday to appeal. He said they were considering the chances for a successful appeal.

Councilman Carey read the following letter into the record:

"October 3, 1984

Mr. Richard Paris, Chairman
Clarkstown Planning Board
10 Maple Avenue
New City, New York 10956

Dear Mr. Paris:

Within the Clarkstown community the safety and welfare of children is a matter of primary interest to the Board of Education. After an urgent plea on the part of parents of children who are attending the Bardonia School, at its October 1st workshop meeting the Board discussed the plans for the construction of a shopping center consisting of eleven stores to be placed on the property adjacent to the school and which faces on Bardonia Road.

Following study of the plans for this site and the strongly expressed views of parents against the construction, the Board of Education must express concern about the added congestion which a shopping center will bring to Bardonia Road and the impact that such congestion will have on the safety of more than 100 students who walk to school and the many others who travel on buses that enter and exit school property at this road.

The above position is based on the fact that Bardonia Road is made up of only two lanes, with no room for expansion. Sidewalks are extremely narrow and often indistinguishable from the road. At times heavy bus traffic makes movement most difficult.

Since this is a subject of mutual concern to both our boards, it is our hope that the Planning Board will utilize our expressed position in its discussions and on future occasions notify the Board of Education early in its deliberations with regard to any anticipated construction in the vicinity of schools which may impact the safety and welfare of children. The Board of Education is in a key position to give input on this matter.

In addition, it is important to note that at the present time drainage remains a problem in the area of the Bardonia School. The school has three pumps operating in its basement to remove water. It is hoped that if construction of any kind results at this site, adequate provision will be made for drainage so that this problem can be alleviated rather than increased.

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If you are in need of additional information with regard to the above, please call Dr. Donald Van Wagenen, Superintendent of Schools, at 634-4941, Extension 218.

Thank you for giving consideration to the safety and welfare of Clarkstown's children. It is in the best interests of both our boards to work together as services are rendered to the public, especially the children and youth of our community.

Sincerely,

/s/ Barbara Flagg

Barbara Flagg
Vice President

BF:hf

cc: Mr. T. Dusanenko
Mr. W. Carey
Mr. C. Holbrook
Mr. E. Lettre
Mr. J. Maloney"

Appearance: Mr. George Zuckerman, President
Normandy Village

Mr. Zuckerman spoke regarding conversation of apartments to condominiums and co-ops. He said the Town Board can pass a law to protect tenants. He said State Law, Section 352 EEE protects all of the tenants against apartments becoming condominiums or co-ops. He said Section 252 E 2(a) protects just the senior citizens and the handicapped. Mr. Zuckerman went on to say that 24 towns and villages had adopted this in Nassau County, 31 in Westchester County and 6 in Rockland County. He urged the Town Board to give serious consideration to adopting one of the above sections. The Board can only adopt one - either for all citizens or just for senior citizens and handicapped.

Town Attorney advised that he had this information in his office and it was to be considered at a workshop meeting.

Appearance: Mr. Arthur Cozewith, President
Nanuet Hebrew Center

Mr. Cozewith stated that he had sent a letter to the Town Board but was not going to read it as he felt a personal appeal would be better. He stated that he was speaking for a congregation of 200 families who have a great fear of the shopping center proposed for Middletown Road. Traffic is now impossible and the shopping center which is proposed would barely be able to meet the required number of parking spaces. This was going to cause a problem trying to get in and out of the shopping center. There is gridlock there now. This would only exacerbate it. The quality of life of the members of his temple was being encroached upon. The development of this shopping center would certainly be counter-productive to the religious services conducted in the temple. He urged the Town Board to have this property developed as multi-family.

Appearance: Mr. John Totani
4 Ash Road
Bardonia, New York 10954

Mr. Totani urged the Board to appeal the court decision with regard to the property on Bardonia Road abutting the Bardonia School property. He said that the people living in Bardonia would be behind the Board. He stated that the Board was in a position if

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a suit was brought for personal liability of having the Town Attorney defend them. He discussed children, who had formerly been bussed to the West Nyack School but because of declining enrollment were now walking to the Bardonia School and stated that this was very dangerous. He asked about the amount of footage that he had to dedicate to the Town for the road. He also asked them if they had considered Venture Inn - a group home located in the area - and the impact additional traffic would have if emergency vehicles such as fire and ambulance had to get into the area. He urged the Board to appeal the decision.

Appearance: Mr. John Laurenzi
91 Lakewood Drive
Congers, New York 10954

Mr. Laurenzi thanked the members of the Town Board for coming out to look at his drainage problem and inquired as to the retaining of an outside engineering firm to do a survey regarding drainage in his area.

Councilman Carey said that he felt that it was important that the engineering firm be obtained from outside Rockland County so they would not have any bias in the matter.

Councilman Holbrook asked the Town Attorney to look into obtaining an engineering firm to do this study. Mr. Laurenzi presented pictures of stagnant water lying in his backyard from the last rain.

Appearance: Mr. Kevin Hallinan
93 Lakewood Drive
Congers, New York 10920

Mr. Hallinan said he would prefer that engineers be obtained from outside Rockland County. He also thanked the Town Board for taking time to come out to the area for a site inspection.

Appearance: Ms. Marjorie Russo, President
Nanuet Civic Association

Mrs. Russo gave a letter from John Kivlehan to the Town Board regarding life saving services at the Sussex property and said that there should not be a shopping center there.

Appearance: Mrs. Diane O'Looney
Bardonia, New York

Mrs. O'Looney urged the Town Board to appeal the Judge's decision regarding the Bardonia property and inquired as to whether it would be on the agenda when the Board decides to act on this. She was assured that it would appear on the agenda ahead of time.

Appearance: Mrs. Linda Pastore(?)
Whispering Court
Bardonia, New York 10954

She thanked the Board for their action to date and urged them to go ahead with the appeal. She recited a list of conditions regarding the dangers on Bardonia Road.

Appearance: Mr. Philip Bosco
2 Short Street
West Nyack, New York 10994

Mr. Bosco spoke regarding Item No. 3 on the agenda (Amendment to the Zoning Ordinance RS to M District - Route 59 and Route 303 in West Nyack). He asked if this would need four votes and was told that it would. He urged the Board to keep the zoning on Route 59 where it belongs and said that the State is working to

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improve Route 59. Please don't transfer the congestion onto the Route 303.

Appearance: Mr. John Lodico
2 Birch Lane
New City, New York 10956

Mr. Lodico spoke regarding three items. (1) that the Town Board acquire demolition fill from the Bronx for the Sanitary Landfill which it could obtain at minimal expense; (2) with regard to commuter parking in Nanuet the Town should purchase the land at the Nanuet train station. The Town should not allow anyone else to pay for this. The Town should buy it and own it and resolve this question once and for all. What is being proposed is just a tax shelter for Lederle; and (3) with regard to Red Hill Road in New City there is a thirty year proposal for construction. He asked about widening the curve and going onto the school property for the necessary twenty-one inches.

Supervisor asked Mr. Kalarickal of the Environmental Department to check this.

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the hearing regarding Anger Land Development - Removal of Unsafe Building (Ashley Motor Court), was declared open, time: 9:15 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the hearing regarding Anger Land Development - Removal of Unsafe Building (Ashley Motor Court), was declared closed, time: 9:20 P.M.

RESOLUTION NO. (414A1985)(FAILED)

AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN - CHANGE FROM RS ZONING TO R-40 ZONING PROPERTY EAST SIDE OF ROUTE 9W, CONGERS FROM NORTH ENTRANCE ROCKLAND LAKE STATE PARK NORTHERLY TO DR. DAVIES DRIVE (MAP 141, BLOCK A, LOT 6.01 NOW RS AND SOUTHEAST PORTION OF LOT 6.07 AND LOT 6.08

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the town of Clarkstown by resolution adopted on the 26th day of March, 1985, provided for a public hearing on the 15th day of April, 1985, at 8:00 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Change from an RS zoning district to an R-40 zoning district property to the east side of Route 9W, Congers, New York, from the north entrance to Rockland Lake State

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RESOLUTION NO. (414-1985) Continued

Park in a northerly direction to Doctor Davies Drive a distance of about 1,355 feet, more particularly designated on the Clarkstown Tax Map as Map 141, Block A, that portion of Lot 6.01 presently zoned RS, the southeast portion of Lot 6.07, and Lot 6.08 as shown on the attached Schedule "A".

Seconded by Co. Carey
(Schedule A on file in Town Clerk's Office)

Councilman Lettre said that people had brought their concerns to him and he was sympathetic to them. He felt that the property had been zoned this way and they could not just arbitrarily change the property. He said he believed that if this was landscaped properly with covenants and mandates set up by the Board this property could be a credit to the town.

Town Attorney said the Town Board did not have the authority to do that without amending the zoning.

Councilman Lettre said he would ask the attorney for Mr. Shettino to give such assurances and make the Town proud of this area and not have it look like a garbage heap.

Mr. Granik said that his client's plan is before the Planning Board and that his client would agree to any reasonable demand for the benefit of the community.

Supervisor stated that he was disturbed about this property and that he concurred with Councilman Lettre about changing a man's property.

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Holbrook.....	Yes
Councilman Lettre.....	No
Councilman Maloney.....	Yes
Supervisor Dusanenko.....	No

The above resolution failed as it needed a four to one vote to pass.

Item No. 2 on the agenda was pulled. Supervisor said that his office would be in consultation with the MTA for the purchase or lease of this property so a larger parking lot can be built and run by American Cyanamid -(Lederle parking lot) for commuter parking with the hope that the train station can be constructed this June and the parking lot expanded. The Town will not have control of this facility

RESOLUTION NO. (415-1985)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN (RS
TO M PROPERTY LOCATED
SOUTHWEST CORNER OF
INTERSECTION OF ROUTE 59
AND ROUTE 303 IN WEST
NYACK (MAP 105, BLOCK A,
LOT 34) (TERRA EQUITIES)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of March, 1985, provided for a public hearing on the 15th day of April, 1985, at 8:20 P.M., to

RESOLUTION NO. (415-1985) Continued

consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Change from an RS zoning district to an M zoning district property located at the southwest corner of the intersection of Route 59 and Route 303 in West Nyack, New York, designated on the Clarkstown Tax Map as Map 105, Block A, Lot 34."

and be it

FURTHER RESOLVED, that the reasons this amendment is adopted despite the negative recommendation of the Rockland County Planning Board are:

1. The uses in an M zone would be appropriate due to the proximity of the sanitary landfill.
2. There is very little M zoned land available for development near major highways since most is in quarry use or poorly located.
3. Minimal development is taking place in M zoned areas or in the vicinity.
4. The Comprehensive Plan envisages this area developed as office-industry and RS uses are contrary to the Master Plan land use.
5. Commercial uses are oriented toward Route 59; industrial uses are oriented toward Route 303. Since access is from Route 303, the industrial orientation should prevail.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
 Councilman Holbrook.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Yes
 Supervisor Dusanenko.....Abstain

RESOLUTION NO. (416-1985)

RESCINDING RESOLUTION NO. (415-1985) AND AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN - CHANGE FROM RS ZONING TO M ZONING PROPERTY LOCATED SOUTHWEST CORNER OF INTERSECTION OF ROUTE 59 AND ROUTE 303 WEST NYACK, NEW YORK (MAP 105, BLOCK A, LOT 34) (TERRA EQUITIES)

Co. Holbrook offered the following resolution:

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RESOLUTION NO. (416-1985) Continued

RESOLVED, that Resolution No. 415-1985 adopted at Town Board Meeting of May 14, 1985 is hereby rescinded and the following resolution adopted:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of March, 1985, provided for a public hearing on the 15th day of April, 1985, at 8:20 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Change from an RS zoning district to an M zoning district property located at the southwest corner of the intersection of Route 59 and Route 303 in West Nyack, New York, designated on the Clarkstown Tax Map as Map 105, Block A, Lot 34.

and be it

FURTHER RESOLVED, that the reasons this amendment is adopted despite the negative recommendation of the Rockland County Planning Board are:

1. The uses in an M zone would be appropriate due to the proximity of the sanitary landfill.
2. There is very little M zoned land available for development near major highways since most is in quarry use or poorly located.
3. Minimal development is taking place in M zoned areas or in the vicinity.
4. The Comprehensive Plan envisages this area developed as office-industry and RS uses are contrary to the Master Plan land use.
5. Commercial uses are oriented toward Route 59; industrial uses are oriented toward Route 303. Since access is from Route 303, the industrial orientation should prevail.

and be it

FURTHER RESOLVED, that the SEQR determination appended hereto is hereby incorporated into this resolution.

(SEQR DETERMINATION: We note that as part of the approval of the Master Plan by the Planning Board, a generic environmental impact review was conducted, in which the property was proposed for office industrial use. Since development under the M district regulations is likely to have lesser impacts than RS development, we hereby make a negative declaration with respect to SEQR. We also note that at the time of any development proposals, a specific environmental review will be made.)

Seconded by Co. Maloney

On roll call the vote was as follows:

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RESOLUTION NO. (416-1985) Continued

Councilman Carey.....	Yes
Councilman Holbrook.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Supervisor Dusanenko.....	Abstain

RESOLUTION NO. (417-1985)

DENYING AMENDMENT TO ZONING ORDINANCE OF TOWN OF CLARKSTOWN - CHANGING R-80 TO R-22 PROPERTY TO SOUTH SIDE OF SOUTH MOUNTAIN ROAD, NEW CITY EAST OF SANDSTONE TRAIL (MAP 81, BLOCK B, LOT 6)

Co. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 11th day of February, 1985, provided for a public hearing on the 23rd day of April, 1985, at 9:00 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown is hereby DENIED:

Change from an R-80 zoning district to an R-22 zoning district property to the south side of South Mountain Road, New City, New York, located to the east of Sandstone Trail, more particularly described and designated on the Clarkstown Tax Map as Map 81, Block B, Lot 6.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Holbrook.....	Yes
Councilman Lettre.....	Abstain
Councilman Maloney.....	Yes
Supervisor Dusanenko.....	Yes

Councilman Lettre suggested as did the Supervisor that the applicant should resubmit this for one acre zoning so that it would be more in conformity with what is in the area now.

RESOLUTION NO. (418-1985)(FAILED)

AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN - CHANGE FROM CS/RS TO MF-3 PROPERTY FRONTING ON MAIN STREET SOUTH OF NANUET HEBREW CENTER (SUSSEX AT NANUET) (MAP 14, BLOCK B, LOT 10.02)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (418-1985) Continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 12th day of March, 1985, provided for a public hearing on the 23rd day of April, 1985, at 9:15 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Change from a CS/RS zoning district to an MF-3 zoning district property fronting on Main Street south of the Nanuet Hebrew Center, Nanuet, New York, known as Sussex at Nanuet, designated on the Clarkstown Tax Map as Map 14, Block B, Lot 10.02.

Seconded by Co. Holbrook

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Holbrook.....Yes
Councilman Lettre.....No
Councilman Maloney.....Yes
Supervisor Dusanenko.....No

Councilman Lettre said he felt the Town Board should not make this change because the applicant would go to court and the Town would lose. The decision of the Judge will be made on facts of law and the Town Board should be concerned about that. This is not a reasonable way to deal with this situation. He said he wanted to sit down with the Planning Board, the Town Board and the applicant and work out a compromise for this location that would best serve the community and be acceptable to the developers. He said he wanted to discuss a plan that would be acceptable to everyone without it being a political decision.

Councilman Maloney said he lives in Nanuet and travels through there four or five times a day. His vote is not political. Nanuet does not want or cannot handle another shopping center. The people in Nanuet are afraid because of the traffic conditions. He said that the Board should change the zone and then sit down and work out something with the owner rather than give him the opportunity to say that he has the right to develop this as CS and RS.

Supervisor said the Board should look for an alternative. He has listened to representatives of Nanuet and they say community shopping generates a lot of traffic - this is very possible. Same time parking on Main Street in Nanuet is a problem, trying to pass through Main Street is impossible. How is it going to help the problem by having the highest density allowable under Town Law of condominiums? How that proposal is going to solve the traffic and parking problem is beyond me. I agree with Co. Lettre we would like to see some kind of a compromise with the Nanuet Hebrew Center, the Nanuet Civic Assoc., the Planning Bd. and the owner of this property and rather than either of these zones come up with an alternative that is in the best interest of the Town.

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RESOLUTION NO. (419-1985)

AUTHORIZING TOWN ATTORNEY
TO DEFEND A PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(TAUB AND GOLD AGAINST
COLUCCI)

Co. Holbrook offered the following resolution:

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

PETER TAUB and JEFFREY GOLD,

Petitioners,

-against-

GERALD COLUCCI, Building and Zoning
Inspector of the Town of Clarkstown,

Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (420-1985)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF MARCH 26,
1985 AND SPECIAL TOWN BOARD
MEETING OF APRIL 15, 1985

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board
Meeting of March 26, 1985 and the Special Town Board Meeting of
April 15, 1985 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (421-1985)

ACCEPTING DEED FOR ROAD
WIDENING (DELTA HOMES)

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the Department
of Environmental Control, the Superintendent of Highways and the
Town Attorney of the Town of Clarkstown, deed dated the 21st day of
October, 1983, between Rosaline Holmok and the Town of Clarkstown
for road widening purposes for property shown on Final Plat of
"Delta Homes" filed in the Rockland County Clerk's Office on October
27, 1983, in Book No. 100, at Page 75 as Map 5543, is hereby
accepted and ordered recorded in the Rockland County Clerk's Office
upon receipt of continuation report of clear title to date of
recording.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (422-1985)

SETTING PUBLIC HEARING WITH
REGARD TO ZONING PETITION
(LOOMIS GROSSMAN - PO TO
CS) - REFERRAL TO

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RESOLUTION NO.(422-1985) Continued

CLARKSTOWN PLANNING BOARD
AND ROCKLAND COUNTY
PLANNING BOARD

Co. Maloney offered the following resolution:

WHEREAS, Loomis Grossman has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the town be amended by redistricting property of the petitioner described from PO district to CS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 15th day of July, 1985 at 8:15 P.M. or as soon thereafter as possible, relative to the proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk, and be it

FURTHER RESOLVED, that a copy of this petition be referred to the Clarkstown Planning Board and Rockland County Planning Board for their reports and recommendations.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....No
Councilman Holbrook.....No
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Supervisor Dusanenko.....Yes

RESOLUTION NO. (423-1985)

GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES (VALLEY COTTAGE
INDIANS - V.M.A. MEMORIAL
DAY FAIR)

Co. Holbrook offered the following resolution:

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 Valley Cottage Indians, Inc., be granted permission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at the Congers V.M.A. Memorial Day Fair on May 25, 1985, rain date May 26, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (424-1985)

GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES (HUDSON VALLEY
LEISURE SERVICES
ASSOCIATION - LAKE NANUET
PARK)

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RESOLUTION NO. (424-1985)Continued

Co. Holbrook offered the following resolution:

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 Clarkstown Parks Board and Recreation Commission recommends to the Town Board that permission be granted to the Hudson Valley Leisure Services Association to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at Lake Nanuet Park on Sunday, June 2, 1985, for their annual picnic.

Seconded by Co. Carey All voted Aye

RESOLUTION NO. (425-1985) GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES (NANUET FIRE
DEPARTMENT - PROPERTY OF
SWIFT ELECTRIC)

Co. Holbrook offered the following resolution:

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 Nanuet Fire Department be granted permission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at a carnival tao be held June 24, 1985 on the property of Swift Electric, 26 Prospect Street, Nanuet.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (426-1985) AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #48-1985
(RENOVATION TO KNAPP
BUILDING)

Co. Holbrook offered the following resolution:

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

BID #48-1985
RENOVATION TO KNAPP BUILDING
40 Maple Avenue, New City
Counseling Center)

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Wednesday, June 12, 1985 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.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (427-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #49-1985 (CAST
IRON CURB INLETS, CATCH
BASIN FRAMES AND GRATES)

Co. Holbrook offered the following resolution:

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

BID #49-1985
CAST IRON CURB INLETS, CATCH BASIN
FRAMES AND GRATES

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 Tuesday, May
28, 1985 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.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (428-1985)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #50-1985
(REFUSE PICK-UP SERVICE)

Co. Holbrook offered the following resolution:

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

BID #50-1985
REFUSE PICK-UP SERVICE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:30 A.M. on Tuesday, May
28, 1985 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.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (429-1985)

ACCEPTING ROADS AND RELATED
IMPROVEMENTS IN TOWN OF
CLARKSTOWN (BELFORT
BUILDING CORP. - WARD DRIVE)

Co. Holbrook offered the following resolution:

RESOLVED, that upon the recommendation of the
Superintendent of Highways, the Director of Environmental Control
and the Town Attorney, deed from: Belfort Corp., dated January 9,
1985, conveying road(s) and other improvements to the Town of
Clarkstown in a subdivision as shown on Final Plat of CLAL
Construction Corp. filed in the Rockland County Clerk's Office on
May 17, 1983, in Book No. 100 at Page 21 as Map No. 5489, as follows:

WARD DRIVE 545 L.F.

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RESOLUTION NO. (429-1985) Continued

is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording, and be it

FURTHER RESOLVED, that the agreement guaranteeing the road(s) and improvements for a period of one (1) year in the amount of \$2,825.00 is hereby accepted, upon receipt of clear title to date of recording.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (430-1985)

DECREASING APPROPRIATION ACCOUNT NO. A 1430-409 (PERSONNEL-FEES FOR SERVICES) AND A 1356-409 (BOARD OF ASSESSMENT-FEES FOR SERVICES) AND INCREASING APPROPRIATION ACCOUNT NO. A 1420-110 (TOWN ATTORNEY-SALARIES) - FLICK AND LONGO

Co. Holbrook offered the following resolution:

WHEREAS, Joel Flick and Ronald Longo have been appointed as Deputy Town Attorneys effective as of April 29, 1985,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A 1430-409 (Personnel-Fees for Services) by \$13,000.00 and A 1356-409 (Board of Assessment-Fees for Services) by \$6,000.00 and increase Appropriation Account No. A 1420-110 (Town Attorney-Salaries) by \$19,000.00.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (431-1985)

DECREASING APPROPRIATION ACCOUNT NO. A 1355-409 (FEES FOR SERVICES) AND INCREASING APPROPRIATION ACCOUNT NO. A 1355-313 (OFFICE SUPPLIES AND PRINTING)

Co. Holbrook offered the following resolution:

WHEREAS, the Assessor has requested a transfer of funds because of an overdrawn account,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A 1355-409 (Fees for Services) and increase Appropriation Account No. A 1355-313 (Office Supplies and Printing) by \$4,000.00.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (432-1985)

DECREASING APPROPRIATION ACCOUNT NO. A 1330-114 (RECEIVER OF TAXES-PART

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RESOLUTION NO. (432-1985) Continued

TIME EMPLOYEES) AND
INCREASING APPROPRIATION
ACCOUNTS NOS. A 1330-204
(OFFICE MACHINES AND A
1330-313 (OFFICE SUPPLIES)

Co. Holbrook offered the following resolution:

WHEREAS, Appropriation Account Numbers are overdrawn,
NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A
1330-114 (Receiver of Taxes-Part Time Employees) and increase the
following Appropriation Account Numbers:

A 1330-204 (Office Machines).....\$305.00
A 1330-313 (Office Supplies)..... 10.00

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (433-1985)

AUTHORIZING ATTENDANCE AT
ANNUAL ACCOUNTING SHOW AND
CONFERENCE (LOUIS PROFENNA)

Co. Holbrook offered the following resolution:

RESOLVED, that Louis J. Profenna is hereby authorized to
attend the 12th Annual Accounting Show and Conference on May 20th,
21st and 22nd, at the Sheraton Centre in New York City, and be it

FURTHER RESOLVED, that all proper charges be charged to
Appropriation Account No. A 1010-414.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (434-1985)

GRANTING PERMISSION FOR
ATTENDANCE AT ACADEMY FOR
ADVANCED EDUCATION
(PATRICIA SHERIDAN) -
CHARGE TO ACCOUNT NO. A
1010-414

Co. Holbrook offered the following resolution:

RESOLVED, that permission is hereby granted to Town
Clerk, Patricia Sheridan, to enroll in the Academy for Advanced
Education to be conducted at the Downtown Holiday Inn, Syracuse, New
York, August 21-23, 1985, and be it

FURTHER RESOLVED, that all necessary and actual expenses
not to exceed \$350.00 plus mileage be allocated against Account No.
A 1010-414.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (435-1985)

AUTHORIZING SUPERVISOR TO
ENTER INTO LEASE AGREEMENT
WITH CLARKSTOWN CENTRAL
SCHOOL DISTRICT FOR RENTAL
OF SCHOOL BUSES FOR
TRANSPORTATION OF SENIOR
CITIZENS

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RESOLUTION NO. (435-1985) Continued

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a lease agreement with the Clarkstown Central School District for the period beginning September 1, 1985, through June 30, 1986, for the rental of school buses for the transporting of senior citizens to and from school for the sum of \$1.00, providing there is adequate liability coverage to the Town of Clarkstown.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (436-1985)

RESOLUTION OF INTENT TO ACCEPT DEDICATION OF NEW ROAD (ROCKLAND CORPORATE PARK FORMERLY KNOWN AS PARKWAY CORPORATE PARK) TO CONNECT TO ROUTE 59, WEST NYACK, NEW YORK

Co. Lettre offered the following resolution:

WHEREAS, there is presently pending before the Planning Board an application for site plan approval for Rockland Corporate Park (formerly known as Parkway Corporate Park) which provides for the installation by the applicant of a new Town road to connect to Route 59, West Nyack, New York, which will service the site as proposed to be improved, as well as provide additional access to Route 59 for the parcels located to the north of said site plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board intends to accept dedication of the road described above when same has been completed to the satisfaction of the Town of Clarkstown and all other requirements of law with respect to said dedication have been fulfilled, providing said site plan or prior filed subdivision map contains a notation to the effect that a gratuitous and irrevocable offer of dedication of the above described road is made to the Town of Clarkstown.

Seconded by Co. Holbrook All voted Aye.

RESOLUTION NO. (437-1985)

AUTHORIZING SUPERVISOR TO EXECUTE VOUCHER FOR PAYMENT BY NEW YORK STATE THRUWAY AUTHORITY FOR USE OF THE CLARKSTOWN SANITARY LANDFILL FROM MAY 1985 TO MAY 1986

Co. Holbrook offered the following resolution:

WHEREAS, the town of Clarkstown is agreeable to permitting the continued use of the Clarkstown Sanitary Landfill by the New York State Thruway Authority for the sum of \$4,400.00;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute a voucher for the payment of \$4,400.00 to the Town of Clarkstown for the continued use of the Clarkstown Sanitary Landfill by the New York State Thruway Authority for the period from May 17, 1985 to May 16, 1986.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (438-1985)

AUTHORIZING PREPARATION OF
BOUNDARY SURVEY (ZUKOR ROAD
AND OLD ROUTE 304 - ADLER &
YOUNG) FOR PARCELS NO.
61-A-11 and 61-A-11.01 -
CHARGE TO CAPITAL ACCOUNT
NO. 2

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is about to purchase property as additional parkland located in the vicinity of Zukor Road and Old Route 304 presently owned by the Archdiocese of New York, and

WHEREAS, proposals have been received for the preparation of a boundary line survey;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Deputy Director of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, the firm of Adler & Young is hereby authorized to prepare a boundary line survey for parcels No. 61-A-11 and 61-A-11.01 in accordance with their proposal dated April 29, 1985, for a sum not to exceed \$2,800.00; and be it

FURTHER RESOLVED, that said sum shall be charged to Capital Account No. 2.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (439-1985)

WAIVING REQUIREMENTS OF
SECTION 34-3(c) OF CODE OF
TOWN OF CLARKSTOWN AND
GRANTING PERMISSION FOR
CARNIVAL AT 26 PROSPECT
STREET, NANUET, NEW YORK
(NANUET FIRE COMPANY NO. 1)

Co. Lettre offered the following resolution:

WHEREAS, the Nanuet Fire Company No. 1 is holding a carnival from June 24, 1985, to June 29, 1985, at 26 Prospect Street, Nanuet, New York, pursuant to the provisions of Chapter 34 of the Town Code, and

WHEREAS, the proposed site is zoned MF-1 which requires approval of the Town Board for the license to be issued by the Building Inspector;

NOW, THEREFORE, be it

RESOLVED, that the Town Board waives the requirements of Section 34-3(c) of the Code of the Town of Clarkstown and grants permission for a carnival in the proposed location for a period not to exceed seven (7) days, provided all other requirements of law are met.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (440-1985)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
THREE (3) HYDRANTS - ONE
(1) WEST SIDE CHAPARRAL

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RESOLUTION NO. (440-1985) Continued ROAD AND TWO (2) NORTH SIDE
CARRIAGE LANE

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install three (3) fire hydrants on:

1. West side of Chaparral Road approximately 167 feet south of center line of Fringe Court.
2. North side of Carriage Lane approximately 50 feet east of center line of Chaparral Road.
3. North side of Carriage Lane approximately 330 feet west of center line of Pascack Road.

and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Tricia Balko, Service Investigation Clerk.

Investigation No. 9705

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (441-1985) AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
ONE (1) FIRE HYDRANT ON
WEST SIDE OF ROBERTS ROAD

Co. Holbrook offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) fire hydrant on:

West side of Roberts Road 595 feet south
of existing hydrant #24-720

and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Tricia Balko, Service Investigation Clerk.

Investigation No. 9632.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (442-1985) AWARDDING BID #29-1985
REPLACEMENT OF WINDOWS AT
CONGERS COMMUNITY CENTER (R
& R CONSTRUCTION) - CHARGE
TO APPROPRIATION ACCOUNT #A
7141-408

Co. Maloney offered the following resolution:

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

BID #29-1985
REPLACEMENT OF WINDOWS AT CONGERS
COMMUNITY CENTER

Continued on Next Page

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RESOLUTION NO. (442-1985) Continued

is hereby awarded to:

R & R CONSTRUCTION
Lake Road
Rockland Lake, New York 10989

as per their low bid proposal of \$8,562.00, and be it

FURTHER RESOLVED, that this bid award is subject to the receipt of Certificate of Liability Insurance and Save Harmless Agreement as specified in the bid specifications, and

FURTHER RESOLVED, that said expenses be charged against Appropriation Account #A 7141-408.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (443-1985)

AWARDING BID #32-1985
BATHROOM PARTITIONS (R & R
CONSTRUCTION) - CHARGE TO
APPROPRIATION ACCOUNT #A
7141-408 AND APPROPRIATION
ACCOUNT #A 7180-408

Co. Maloney offered the following resolution:

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

BID #32-1985
BATHROOM PARTITIONS

is hereby awarded to:

R & R Construction
Lake Road
Rockland Lake, New York 10989

as per their low bid proposal of \$35,782.00, and be it

FURTHER RESOLVED, that this bid award is subject to the receipt of (1) Insurance Certificate(s) - per Exhibit A, (2) Save Harmless Agreement - per Exhibit B, (3) Performance Bond - 25% of total project cost, and

FURTHER RESOLVED, that said expenses be charged as follows:

Appropriation Account #A 7141-408: \$ 9,125.00
Appropriation Account #A 7180-408:.... 26,657.00

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (444-1985)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(KFOURI)

Co. Holbrook offered the following resolution:

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

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RESOLUTION NO. (444-1985) Continued

JAMES KFOURI,

Petitioner

-against-

TOWN OF CLARKSTOWN,

Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (445-1985)

AUTHORIZING TOWN ATTORNEY AND DIRECTOR OF PURCHASING TO NEGOTIATE WITH MR. HOWARD L. LAMPERT, HIGHWAY AND TRAFFIC ENGINEERING CONSULTANT WITH INTENT TO HIRE MR. LAMPERT

Co. Maloney offered the following resolution:

RESOLVED, that Town Attorney and Director of Purchasing are hereby authorized to negotiate with Mr. Howard L. Lampert, Highway and Traffic Engineering Consultant, and to prepare a resolution to hire Mr. Lampert at the next Town Board Meeting.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (446-1985)

ASSIGNING RIGHT TO USE EASEMENTS TO ROCKLAND COUNTY SEWER DISTRICT NO. 1 (PHILLIPS HILL ROAD INTERCEPTOR)

Co. Holbrook offered the following resolution:)

WHEREAS, the Rockland County Sewer District No. 1 (the "District") intends to install the Phillips Hill Road interceptor and is requesting utilization of certain sewer easements granted to the Town of Clarkstown, and

WHEREAS, the following are the five (5) easements that are requested by the District for their use:

1. Sewer easement from Louis Korngold which has been recorded in the Rockland County Clerk's Office in Liber 1020 at Page 76.
2. Sewer easement from Elsie Stearns which has been recorded in the Rockland County Clerk's Office in Liber 1023 at Page 240.
3. Deed for sewer easement from Turnpike Woods, Inc., which has been recorded in the Rockland County Clerk's Office in Liber 88 of Land Records at Page 2501.

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RESOLUTION NO. (446-1985) Continued

4. Deed for two (2) sewer easements from Beverly Degenshein which has been recorded in the Rockland County Clerk's Office in Liber 1054 at Page 558, and

WHEREAS, it is agreed that said easements are assignable and should be assigned for use by the District;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to sign the necessary documents to assign the use of the easements to the District for the purpose of the installation of the Phillips Hill Road interceptor, which documents shall be in a form satisfactory to the Town Attorney.

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (447-1985)

SETTING PUBLIC HEARING RE:
PROPOSED LOCAL LAW AMENDING
LOCAL LAW NO. 9-1971 -
SAFETY OF PUBLIC PLACES
WITH RESPECT TO PARKING,
INGRESS AND EGRESS AND
SAFETY IN THE UPKEEP OF
PLACES ACCESSIBLE TO THE
PUBLIC

Co. Holbrook offered the following resolution:

WHEREAS, Councilman Holbrook, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED, 'A LOCAL LAW PROVIDING FOR SAFETY OF MOTOR VEHICLE OPERATION AND FOR REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN BOARD BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'"

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 11th day of June, 1985, at 9:05 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 Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (450-1985)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC., FOR STREET
LIGHTING AT LAKEWOOD DRIVE,
CONGERS

Co. Holbrook offered the following resolution:

WHEREAS, the Town of Clarkstown Traffic and Traffic Fire Safety Advisory Board has recommended the installation of a street light on Lakewood Drive, Congers to improve traffic safety,

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:

Lakewood Drive Congers
(1 - 5800 lumen sodium vapor - existing pole
#61004/42048)

Seconded by Co. Maloney

All voted Aye.

RESOLUTION NO. (451-1985)

GRANTING 280-a(2) to
VINCENT PUGLIESE WITH THE
PROVISO THAT DECLARATION OF
COVENANTS SHALL BE EXECUTED

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a Subd. (2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control and Superintendent of Highways, a building permit for the erection of a one family residence may be issued to Vincent J. Pugliese, as owner, for property situate on the north side of Glen Road in the hamlet of West Nyack, New York, an unimproved mapped street, more specifically designated on the Clarkstown Tax Map as Map 70, Block A, Lot 30.01, provided the owner shall, prior to the issuance of such building permit, execute and record a Declaration of Covenant in a form satisfactory to the Town Attorney which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no town services consisting of maintenance, paving or snow removal shall be provided along Glen Road, West Nyack, New York.
2. That the declarant owner irrevocably agrees to participate in a road improvement district for any frontage of said premises on Glen Road adjacent to said premises when and if required by the Town Board of the Town of Clarkstown.
3. That the declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown, or its designee, any interest of the declarant owner in the premises or in any mapped street adjacent to the premises to the designated street line to accomplish the widening of same to 50 feet in width.
4. The runoff from Glen Road shall be diverted by the installation of a macadam berm at the north side of Glen Road in front of the subject parcel and the lot east of this parcel into a natural drainage channel subject to the requirements of the Director of the Department of Environmental Control.
5. Drainage on the subject parcel shall be provided in accordance with a site grading plan approved by the Director of the Department of Environmental Control, and subje

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RESOLUTION NO. (451-1985) Continued

changes in the flows as may be necessary for future development of adjacent sites.

6. A macadam driveway shall be installed and maintained to the satisfaction of the Director of the Department of Environmental Control with a turnaround to allow for acces by emergency vehicles.

7. The declarant owner shall install and maintain to the satisfaction of the Director of the Department of Environmental Control a sanitary sewer house connection, including spur, at no cost to the Town.

8. The declarant owner shall install and maintain footing drains with positive outfall to the satisfaction of the Director of the Department of Environmental Control.

9. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants provided herein.

10. That the certificate of occupancy issued for said premises be conditioned upon observance and subject to the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that

1. No building permit shall be issued until the Building Inspector shall have received satisfactory evidence that the footing design shall be adequate in accordance with the bearing capacity of the soil as determined by appropriate tests.

2. No application for building permit shall be approved unless the proposed bathroom facilities are located at an elevation that can be serviced by gravity flows.

Seconded by Co. Holbrook

All voted Aye.

RESOLUTION NO. (452-1985)

GRANTING 280-a(2) TO
MICHAEL H. DiLORENZO WITH
PROVISO THAT DECLARATION OF
COVENANT BE EXECUTED

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a Subd. (2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control and Superintendent of Highways, a building permit for the erection of a one family residence may be issued to Michael H. DiLorenzo, as owner, for property situate off a private right of way which connects to High Tor Road in the hamlet of New City, New York, more specifically designated on the Clarkstown Tax Map as Map 99, Block A, Lot 16, provided the owner shall prior to the issuance of such building permit execute and record a Declaration of Covenant in a form satisfactory to the Town Attorney which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no town services consisting of maintenance, paving or snow removal shall be provided along the subject right-of-way or High Tor Road, New City, New York.

2. That the declarant owner irrevocably agrees to participate in a road improvement district for any frontage of said premises when and if required by the Town Board of the Town of Clarkstown.

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RESOLUTION NO. (452-1985) Continued

3. That the declarant owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown, or its designee, any interest of the declarant owner in the premises or in any present or future mapped street adjacent to the premises to the designated street line to accomplish the widening of same to 50 feet in width.

4. The 12 foot right-of-way from High Tor Road to the subject premises shall be cleared, graded and stabilized for at least one way traffic to the satisfaction of the Director of the Department of Environmental Control and shall be maintained in such condition at the expense of the declarant owner.

5. The declarant owner shall repair the existing gravel driveway by filling potholes and installing additional gravel to the satisfaction of the Director of the Department of Environmental Control.

7. The declarant owner shall provide a driveway and turnaround at the end of the driveway from the terminus of the 12 foot right-of-way to the premises and shall maintain said driveway and turnaround to the satisfaction of the Director of the Department of Environmental Control so as to provide adequate ingress and egress for emergency vehicles.

9. The declarant owner shall install and maintain to the satisfaction of the Director of the Department of Environmental Control a culvert or culverts sufficient to handle the flows from any and all streams which cross the driveway.

10. The declarant owner shall install and maintain to the satisfaction of the Rockland County Health Department a sewer disposal system at no cost to the Town.

11. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants provided herein.

12. That the certificate of occupancy issued for said premises be conditioned upon observance and subject to the Declaration of Covenant provided for herein.

and be it

FURTHER RESOLVED, that prior to the issuance of a building permit:

1. The applicant shall submit and obtain the approval of detailed grading plans from the Director of the Department of Environmental Control.

2. That the existing driveway from the terminus of the 12 foot right-of-way to the premises be relocated to eliminate the encroachment onto the adjoining property now or formerly of Christopher Wells, or in the alternative, a driveway easement, in a form acceptable to the Town Attorney shall be obtained for the continued maintenance of the driveway.

3. The applicant shall obtain from the agencies or organizations responsible for providing emergency services, such as ambulance, fire protection, and police protection, written statements that the right-of-way as improved or to be improved shall provide adequate access to said premises.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (453-1985)

SETTING PUBLIC HEARING RE:
ZONE CHANGE FROM LO TO LS
(GIUSEPPE DE PAULIS)

Co. Holbrook offered the following resolution:

WHEREAS, Giuseppe De Paulis has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an LO district to an LS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 15th day of July, 1985 at 8:15 P.M., relative to the proposed amendment; 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 official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk, and be it

FURTHER RESOLVED, that a copy of this petition be referred to the Clarkstown Planning Board and Rockland County Planning Board for their reports and recommendations.

Seconded by Co. Maloney All voted Aye.

RESOLUTION NO. (454-1985)

ACCEPTING DEED FOR ROAD
WIDENING IN THE EGOLF
SUBDIVISION (BUENA VISTA
ROAD, NEW CITY)

Co. Holbrook offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision to be known as Egolf Subdivision, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Buena Vista Road, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, the Superintendent of Highways and the Town Attorney, deed dated May 13, 1985, from Clarence C. Egolf and Eileen Patricia Egolf conveying a strip of land along Buena Vista Road, New City, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Maloney All voted Aye.

RESOLUTION NO. (455-1985)

EXTENDING TEMPORARY
POSITION OF CLERK -
ASSESSOR'S OFFICE - FOR
PERIOD NOT TO EXCEED THREE
(3) MONTHS

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified, by letter dated May 13, 1985, that the temporary position of Clerk - Assessor's Office - can be extended for a period not to exceed three (3) months,

NOW, THEREFORE, be it

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RESOLUTION NO. (455-1985) Continued

RESOLVED, that the temporary position of Clerk (classified on February 7, 1985 and established on February 11, 1985) - Assessor's Office - is hereby extended for a period not to exceed three (3) months - effective and retroactive to May 12, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (456-1985) APPOINTING POSITION OF CLERK (TEMPORARY) - ASSESSOR'S OFFICE (ELAINE NOTARO)

Co. Holbrook offered the following resolution:

RESOLVED, that Elaine Notaro, 88 Wisconsin Avenue, Congers, New York, is hereby appointed to the position of Clerk (temporary) - Assessor's Office - at the hourly rate of \$5.00, effective and retroactive to May 12, 1985, for a period not to exceed three (3) months.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (457-1985) ACCEPTING RESIGNATION OF PART-TIME BUS DRIVER - MINI TRANS DEPARTMENT (KENNETH McLEOD)

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of Kenneth McLeod, 30 Quaker Road, Pomona, New York - part-time Bus Driver - Mini Trans Department - is hereby accepted - effective and retroactive to April 27, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (458-1985) APPOINTING POSITION OF PART-TIME BUS DRIVER - MINI TRANS DEPARTMENT (HAROLD McCOY)

Co. Holbrook offered the following resolution:

RESOLVED, that Harold McCoy, 298 Old Haverstraw Road, Congers, New York, is hereby appointed to the position of part-time Bus Driver - Mini Trans Department - at the current 1985 hourly rate of \$6.74, effective and retroactive to May 13, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (459-1985) ACCEPTING RESIGNATION OF CROSSING GUARD - POLICE DEPARTMENT (WENDY YEH)

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of Wendy Yeh, 7 Augusta Court, New City, New York as Crossing Guard - Police Department - is hereby accepted - effective and retroactive to April 29, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (460-1985)

ACCEPTING RESIGNATION OF
MEMBER OF ARCHITECTURAL
REVIEW BOARD (JOHN HARTNETT)

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of John Hartnett, 49 Carolina Drive, New City, New York - Member - Architectural Review Board - is hereby accepted - effective and retroactive to May 10, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (461-1985)

APPOINTING POSITION OF
CUSTODIAL WORKER (NIGHTS) -
MAINTENANCE DEPARTMENT
(EDWARD KIRKLAND)

Co. Holbrook offered the following resolution:

RESOLVED, that Edward Kirkland, 2 Gillis Avenue, Central Nyack, New York, is hereby appointed to the position of Custodial Worker (Nights) - Maintenance Department - at the current 1985 annual salary of \$13,627.00, effective and retroactive to May 9, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (462-1985)

APPOINTING POSITION OF
ENGINEERING TECHNICIAN -
DEPARTMENT OF ENVIRONMENTAL
CONTROL (DAVID SECOR)

Co. Holbrook offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Engineering Technician #84216, which contains the name of David Secor,

NOW, THEREFORE, be it

RESOLVED, that David Secor, 6 New Lake Road, Valley Cottage, New York, is hereby appointed to the position of Engineering Technician - Department of Environmental Control - at the current 1985 salary of \$17,821.00, effective May 15, 1985.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (463-1985)

TRANSFERRING FROM POSITION
OF SENIOR STENOGRAPHER -
TOWN JUSTICE DEPARTMENT TO
SENIOR STENOGRAPHER -
SUPERVISOR'S OFFICE ON A
TEMPORARY BASIS (LORRAINE
WEIGOLD)

Co. Holbrook offered the following resolution:

RESOLVED, that Lorraine Weigold, 8 Greendale Road, New City, New York, is hereby transferred from the position of Senior Stenographer, Town Justice Department - and reassigned to the position of Senior Stenographer in the Town Supervisor's Office (on

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RESOLUTION NO. (463-1985) Continued

a temporary basis until the effective retirement date of Gloria Keoughan) at the current 1985 salary of \$19,180.00, effective and retroactive to May 13, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (464-1985) ACCEPTING RESIGNATION OF
PARA LEGAL SPECIALIST
(PART-TIME) - TOWN
ATTORNEY'S OFFICE (PAULINE
McDERMOTT)

Co. Holbrook offered the following resolution:

RESOLVED, that the resignation of Pauline McDermott, 10 Louis Road, New City, New York - Para Legal Specialist (part-time) - Town Attorney's Office - is hereby accepted, effective and retroactive to May 10, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (465-1985) APPOINTING POSITION OF
LEGAL ASSISTANT (SEASONAL)
- TOWN ATTORNEY'S OFFICE
(JOHN DAVIDSON)

Co. Holbrook offered the following resolution:

RESOLVED, that John Davidson, 14 Chauncy Street, Congers, New York, is hereby appointed to the position of Legal Assistant (Seasonal) - Town Attorney's Office at the annual 1985 salary of \$15,000.00 (\$1,250.00 per month), effective July 1, 1985, for a period not to exceed two months, terminating on August 31, 1985.

Seconded by Co. Carey All voted Aye.

RESOLUTION NO. (466-1985) APPOINTING POSITION OF
LEGAL ASSISTANT (SEASONAL)
- TOWN ATTORNEY'S OFFICE
(RONALD E. DeCHRISTOFORO)

Co. Holbrook offered the following resolution:

WHEREAS, there is a need for additional legal personnel for the summer months in the Town Attorney's Office to cover for vacationing attorneys; and

WHEREAS, the Town Board is desirous of establishing an additional position of Legal Assistant (Seasonal) in the Town Attorney's Office (said Form P.O. 27 having been submitted to the Rockland County Personnel Office for approval),

NOW, THEREFORE, be it

RESOLVED, that Ronald E. DeChristoforo, Esq., 17 Fairview Avenue, Nanuet, New York, is hereby appointed to the position of Legal Assistant (Seasonal) - Town Attorney's Office - at the annual 1985 salary of \$15,000.00 (\$1,250.00 per month) for a period not to exceed two months without further resolution of the Town Board, and be it

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RESOLUTION NO. (466-1985) Continued

FURTHER RESOLVED, that this appointment is conditioned upon and subject to the approval of the Rockland County Personnel Office.

Seconded by Co. Carey

All voted Aye.

RESOLUTION NO. (467-1985)

AUTHORIZING TOWN ATTORNEY,
DIRECTOR OF PURCHASING AND
DIRECTOR OF ENVIRONMENTAL
CONTROL TO ACCEPT PROPOSALS
FROM QUALIFIED
SEISMOLOGISTS RE: BLASTING
BY LONE STAR INDUSTRIES AT
QUARRY IN VALLEY
COTTAGE/WEST NYACK AREA

Co. Holbrook offered the following resolution:

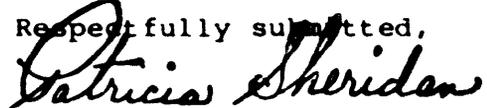
RESOLVED, that the Town Attorney and the Director of Purchasing in consultation with the Director of the Department of Environmental Control shall solicit proposals from qualified seismologists to conduct an investigation of the extent of blasting operations being conducted by Lone Star Industries at its quarry in Valley Cottage/West Nyack area to provide a basis for determining if all requirements of law are being met by the operator.

Seconded by Co. Carey

All voted Aye.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Holbrook, seconded by Councilman Carey and unanimously adopted, the Town Board meeting was declared closed, time: 10:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

5/14/85

9:15 P.M.

Present: Supervisor Dusanenko
Councilmen Carey, Holbrook, Lettre, Maloney
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: CHAPTER 31, REMOVAL OF UNSAFE BUILDING - ANGERLAND
DEVELOPMENT CORP. - ASHLEY MOTOR COURT, ROUTE 59

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted, the hearing was declared open. Town Attorney explained that this was a Chapter 31 proceeding regarding premises located at 253 Route 59 (Ashley Motor Court). He said the premises were abandoned and that they were served papers on April 26, 1985 for this hearing. He testified as to the proper posting, personal service, and certified mailing to all persons with an interest in this property.

Mark Papenmeyer was sworn in and testified that on March 7, 1985 the owner was given notice. There had been a subsequent fire. They went to court regarding violations and the owner was found guilty. The building has now been secured. The Town Attorney asked Mr. Papenmeyer if the order issued has been complied with. Mr. Papenmeyer answered in the affirmative. Town Attorney asked if any expense had been incurred by the Town and Mr. Papenmeyer stated that the Town had not incurred any expense.

There being no one further wishing to be heard and no further testimony given on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the hearing was declared closed with no action.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

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