

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

263A

Town Hall

1/14/86

8:00 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Maloney, Nowicki
Councilman Lettre arrived 8:26 P.M.,
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Holbrook read the following proclamation:

"MARTIN LUTHER KING, JR. DAY
January 20, 1986

WHEREAS, DR. MARTIN LUTHER KING, JR. assumed the leadership of the American Civil Rights movement at the most critical juncture, and

WHEREAS, DR. MARTIN LUTHER KING, JR. dedicated his life to achieving social change non-violently, and

WHEREAS, DR. MARTIN LUTHER KING, JR. dreamed that one day all people would live together in peace and harmony, and

WHEREAS, the Congress of the United States has made his birthday a national holiday so that we always remember his dream, that "Sooner or later, all the people of the world will have to discover a way to live together in peace.....", and

WHEREAS, it is desirable to observe DR. KING'S birthday in an appropriate manner, reflecting on his philosophy, "We will not resort to violence. We will not degrade ourselves with hatred. Love will be returned for hate."

NOW, THEREFORE, be it RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board, hereby call upon all the residents of our town to remember DR. KING by loving, not hating, showing understanding, not anger, and making peace, and to celebrate his birthday by "Living the dream," and be it

FURTHER RESOLVED, that all churches and synagogues in our community be called upon to hold services on this day and to ring church bells at noon in memory of DR. MARTIN LUTHER KING.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN OF
CLARKSTOWN TO BE AFFIXED THIS 14TH DAY
OF JANUARY, 1986.

/s/ Charles E. Holbrook
CHARLES E. HOLBROOK, Supervisor

/s/ William Carey
William Carey, Councilman

/s/ Edward J. Lettre
Edward J. Lettre, Councilman

/s/ John R. Maloney
John R. Maloney, Councilman

/s/ Catherine M. Nowicki
Catherine M. Nowicki, Councilman"

Supervisor stated that when he was in college he had the opportunity of hearing Dr. King speak and it was a privilege and a very moving experience. He felt this was a very appropriate resolution.

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Supervisor stated that the Clarkstown Youth Court has been in existence for a number of years. He introduced Detective Curt Settle for the purposes of conducting the 9th Graduation of the Youth Court.

Detective Settle thanked the Supervisor and gave a brief history of the Clarkstown Youth Court. Detective Settle then introduced the Chief of Police Robert Schnakenberg. The Chief spoke of how well the Youth Court had performed over the years and then complimented Mrs. Pat Barad for her efforts.

Detective Settle commended the parents of the young people who are not yet able to drive who bring them every Wednesday night for classes and after graduation to work on cases, and they cannot even be told what their children are doing. Detective Settle complimented his wife and also complimented his Administrative Assistant, Pat Barrad. He called upon Mrs. Barrad to assist in distributing the certificates to the graduates.

The graduates were awarded their certificates.

Supervisor Holbrook opened the public portion of the meeting.

Appearance: Mr. John Lodico
Birch Drive
New City, New York

Mr. Lodico congratulated the supervisor on his election and also Mrs. Nowicki on being appointed to the Town Board. He then presented a gavel to the Supervisor from the "Independent Thinkers of the Town of Clarkstown."

He spoke regarding salary increases for Town officers and also for the Police Department which he stated tripled the national trend in arbitration and he stated that our Police Department is the second highest paid in the United States.

He also spoke regarding Signal Corporation in Haverstraw and their program. He felt we should keep the landfill. If a county-wide program should be adopted it should be operated and controlled by the County of Rockland. He was in opposition to such a program unless it was County controlled.

Appearance: Mr. Alex Rosensweig

Mr. Rosenweig stated he represented the Congers Civic Association. He read the following letters into the record which are now on file in the Town Clerk's Office:

CONGERS CIVIC ASSOCIATION
P.O. BOX 10, CONGERS, NEW YORK 10920

The Honorable Town Board
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Re: Proposed Clinton Square Mall

Honorable Board Members:

The Congers Civic Association is opposed to the construction of the proposed Clinton Square Mall along Route 303 in West Nyack that is currently under your review. We believe that the Nanuet Mall and the other existing shopping complexes in the county offer adequate opportunities to meet our shopping needs.

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Of great concern to us, is the anticipated traffic congestion that such a new mall would generate on our local roads. The existing two lanes roads in Congers can hardly meet the present traffic demand. If a new shopping mall were constructed in West Nyack, roads such as Routes 303, 9W, Lake Road and Kings Highway would become the major access routes from the north to the new mall. We know that this would create major traffic problems in Congers.

Additional traffic increases the risks of safety to our residents and increases pollution of our air. It is evident to all of us, how construction of the Nanuet Mall has created intolerable traffic congestions in all of the surrounding communities. The residents of Congers do not want this to happen in our town.

Therefore, we request that your review include an in-depth traffic study in order to ascertain the impact of the proposed mall on the existing roads, particularly with regard to those roads in and passing through Congers.

We also request that you investigate the tax impact to the residents as a result of the new mall construction. It is our understanding that the Nanuet School taxes had increased after the Nanuet Mall was constructed because the state aid was reduced.

We believe that the proposed Clinton Square Mall in West Nyack would have a detrimental effect on our community and we must oppose its construction.

Very truly yours,

/s/ Doug Eichele

Doug Eichele, President

cc. Mr. Richard Paris, Chairman
Clarkstown Planning Board*

*CONGERS CIVIC ASSOCIATION
P.O. BOX 10, CONGERS, NEW YORK 10920

January 11, 1986

Citizens Against Resource Recovery Plant
P.O. Box 116
Haverstraw, New York 10927

Attention: Dr. Karel Konrad

We support your fight against any garbage burning facility in Rockland County. We share your concerns about the tremendous health threats that will exist as a result of the air pollution such a facility will produce. The dioxins, acids, pcbs's, and heavy metals that will rain down on us will destroy our community and water supplies.

We are greatly concened with the potential truck traffic coming through our village as the plant must import garbage to operate at a level that is economically feasible. Routes 303, 304, and 9W will become clogged with stinking, slow moving garbage trucks. Our area will not be a desirable place to raise families. We believe the river and the Haverstraw Bay are priceless assets to be enjoyed by your community and the rest of Rockland County. An inceration plant located there, in our estimation, is poor use of the area.

We contend that a garbage incinerator will reduce the quality of life we have struggled to build.

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Very truly yours,

/s/ Doug Eichele

Doug Eichele, President"

Appearance: Mr. Edward Kallen

He spoke regarding Item No. 2 on the agenda (open development area re: Martin Feldi property). He was in opposition to this proposal. He said he had presented a copy of the deed from the developer of the subdivision which he had purchased. It indicates that this is a walkway easement. There is no egress or ingress for vehicles. What has been referred by the Planning Board is incorrect and he trusted the Town board would state that. He said he had raised questions as to whether or not an easement really exists. He requested the Board deny the application with the hope that it can be sent back to the Planning Board with a demand that the Planning Board determine where there is safe access to the property.

Appearance: Joseph Pantano
New City, New York

Mr. Pantano spoke regarding traffic and parking problems in New City. The Supervisor said they are working on those problems and they do have high priority.

Appearance: Mr. Jack Boswell
representing Martin Feldi

Mr. Boswell spoke regarding item 2 (open development area - Martin Feldi) and presented a sketch showing their proposal for a driveway coming out to York Drive and its effect on the adjacent house. He felt this was the best access to protect the health, welfare and safety of the community as a whole and Mr. Feldi as the owner of the property. He said they do have two other rights-of-way out to Laurel Road which in his opinion are not as safe or as desirable even though they may be cheaper to develop. He asked the Board to consider the 281 access.

Appearance: Mr. David Fromson
New City, New York

Mr. Fromson asked a question regarding bulk rate but was told there was nothing to that effect on the agenda.

* * * * *

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing re: Amendment to Local Law No. 4-1984 entitled "Littering and Posting" was opened, time: 8:35 P.M.

(Councilman Lettre arrived at 8:36 P.M.)

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the public hearing re: Amendment to Local law No. 4-1984 entitled "Littering and Posting" was opened, time: 8:40 P.M.

RESOLUTION NO. (47-1986) ADOPTING LOCAL LAW NO.
1-1986 AMENDING LITTERING
AND POSTING LAW

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT TO LOCAL LAW NO. 4-1984,
ENTITLED 'LITTERING AND POSTING'"

RESOLUTION NO. (47-1986) Continued

was introduced by Councilman Maloney at a Town Board meeting held on January 14, 1986, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of November, 1985, directed that a public hearing be held on the 14th day of January, 1986, at 8:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 6, 1986, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on November 22, 1985, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 14, 1986;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1-1986, entitled:

"AMENDMENT TO LOCAL LAW NO. 4-1984,
ENTITLED 'LITTERING AND POSTING'"

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

Hon. Charles E. Holbrook, Supervisor.....	Yes
Councilman William J. Carey.....	Yes
Councilman Edward J. Lettre.....	Yes
Councilman John R. Maloney.....	Yes
Councilman Catherine M. Nowicki.....	Yes

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

Seconded by Co. Nowicki

All voted Aye.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Hidden Ridge, was opened, time: 8:43 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Hidden Ridge, was closed, ORDER SIGNED, time: 8:45 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amending Resolution No. 1022-85 concerning Amendment to the Zoning Ordinance - 106-10A, Table 16 of General Bulk Regulations, time: 8:45 P.M.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amending Resolution No. 1022-85 concerning Amendment to the Zoning Ordinance - 106-10A, Table 16 of General Bulk Regulations, time: 8:50 P.M.

RESOLUTION NO. (48-1986)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN

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RESOLUTION NO. (48-1986) Continued

(SECTION 106-10A, TABLE 16
OF GENERAL BULK REGULA-
TIONS AND SECTION 106-20B(2))

Councilman Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 10th day of December, 1986, provided for a public hearing on the 14th day of January, 1986 at 8:20 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

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

I. Amend Section 106-10A, Table 16 of General Bulk Regulations, to read as follows:

B. Amend Note 4 to read as follows:

"Note 4. Required distance shall be increased by fifty (50%) percent when adjacent to a residential district."

C. In the Column designated as "Required Rear Yard" for lines "G," "J," and "M," add:

"See Note 14."

C. In the Column designated as "Required Side Yard," the lines "G," "J," and "M," add:

"See Note 14."

D. Add new Note 14 to read as follows:

"14. A deck attached to the dwelling without a permanent roof shall not be considered a projection into the required rear yard provided it does not exceed 308 square feet and does not extend out from the building line more than 14 feet. This exception shall also apply to decks built in a side yard provided such deck is not closer than 10 feet to the boundary line."

II. Amend Section 106-20B(2) to read as follows:

"(2) An awning or movable canopy may project not more than fifteen (15) feet. Cornices or eaves may project not more than eighteen (18) inches; and a window sill or belt course may project not more than six (6) inches into a required yard, court or usable open space."

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (49-1986)

AUTHORIZING DIRECTOR OF
DEPARTMENT OF ENVIRONMENTAL
CONTROL TO EXECUTE CHANGE
ORDER RE: LAKE ROAD
DRAINAGE PROJECT - CHARGE
TO CAPITAL ACCOUNT DRAINAGE

Co. Maloney offered the following resolution:

WHEREAS, at the Town Board meeting of April 23, 1985 the Town Board adopted resolution No. 411-1985 awarding the Lake Road Drainage Project to J. Fletcher Creamer and Son, and

WHEREAS, at the Town Board meeting of September 19, 1985 the Town Board adopted resolution No. 754-1985 authorizing the Director, Department of Environmental Control to execute a change order and extra for the above project, and

WHEREAS, it is recommended by the Director, Department of Environmental Control that an additional \$72,000.00 be authorized to cover the cost of quantities actually used since this was a unit price bid and also for extras requiring modification to wing walls, removal and replanting of hedges, construction of new and reconstruction of existing catch basins, installation of tree wells, construction of railroad tie retaining walls, installation of a sanitary sewer house connection, installation of a 4" drain pipe, and substantial modification to driveway at #91 Lake Road;

NOW, THEREFORE, be it

RESOLVED, that the Director, Department of Environmental Control is hereby authorized to execute a change order and extra for the above at a cost not to exceed \$72,000.00, and be it;

FURTHER RESOLVED, that these monies not be released until the Town Attorney is satisfied that all conditions concerning final payment in the contract have been met, and be it

FURTHER RESOLVED, that funds for same should be charged to Capital Account Drainage.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (50-1986)

ESTABLISHING OPEN
DEVELOPMENT AREA FOR
PROPERTY DESIGNATED AS MAP
56, BLOCK A, LOT 44.01 -
MARTIN FELDI

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law and pursuant to the recommendations of the Planning Board of the Town of Clarkstown, the Town Board hereby establishes an "open development area" for property situate in New City between Laurel Road and Punta Road/York Drive which has access only by right-of-way, more specifically designated on the Clarkstown Tax Map as Map 56, Block A, Lot 44.01, consisting of approximately 1.12

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RESOLUTION NO. (50-1986) Continued

acres, which property may be subdivided as a result of application of MARTIN FELDI, presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any Building Permit the following conditions shall be met by the owner:

1. The "open development area" shall consist of the area as shown on a proposed subdivision entitled, "Subdivision Plat for Brittany Homes," dated November 4, 1985, drawn by Jack D. Boswell and Associates, New City, New York, as Project No. 8532 for which Building Permits or Certificates of Occupancy may be issued for no more than the three existing or new one-family dwellings subject to obtaining final subdivision approval of the Clarkstown Planning Board, for which access to said dwellings is given by the right-of-way or easement to York Drive by right-of-way as shown on said proposed subdivision plat.
2. The applicant obtain the review and approval of the proposed access, any required drainage improvements and the necessary sewer system from the Department of Environmental Control.
3. Proposed subdivision map shall be modified to show the location of all trees along the proposed twenty (20) feet right-of-way and said right-of-way to be subject to relocation by the Planning Board so as to minimize the loss of trees deemed worthy of preservation.
4. Applicant, prior to final subdivision approval, shall contribute monies for money-in-lieu-of-land for two new dwelling units.
5. Prior to final subdivision approval, applicant shall provide evidence that subject premises is in a water district or applicant has petitioned the Town Board for the creation or extension of a water district.
6. Prior to final approval, applicant shall secure separate tax lot numbers for Lots 1, 2 and 3 shown on said subdivision plat.
7. Prior to final approval, applicant shall secure in writing a statement from the New City Ambulance Corps and the Fire District that the proposed right-of-way will provide sufficient emergency access for ambulance and fire apparatus servicing the area.
8. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenant which shall run with the land in a form acceptable to the Town Attorney and which shall be recorded in the Rockland County Clerk's Office, which Declaration shall contain the following Declaration and Covenants:
 - A. That the property owner acknowledges that access to the nearest public road has been obtained by private easement or right-of-way, and that the property owners shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other services provided to residents of the Town of Clarkstown whose properties front on a public road;
 - B. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein;

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RESOLUTION NO. (50-1986) Continued

C. That the fee ownership of the premises subject to the easement or right-of-way shall be in the owner of the lot subject to such easement or right-of-way;

D. That the Declaration shall contain provision for reciprocal easement and maintenance agreement to provide for regular maintenance, repair, snow plowing and other necessary services on the entire right-of-way or easement and any emergency access way by the owners of Lots 1, 2 and 3, and sharing of the cost of same on an equitable basis;

E. That the Certificate of Occupancy issued for any premises shall be conditioned upon observance and subject to the Declaration of Covenants herein required;

F. That in the event the property owner(s) at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the private right-of-way or easement as a public street, the owner(s) shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown any interest of the property owner in this easement or right-of-way and any property adjacent thereto to accomplish the widening of the easement or right-of-way to the then existing standards for public roads, and said owner(s) shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed in accordance with the provisions of Town Law.

9. That any subdivision map approved by the Planning Board shall contain a map note referring to the resolution establishing the "open development area" by date and number, which map note shall also state that the issuance of Building Permits and Certificates of Occupancy are subject to the Declaration of Covenants herein required.

10. That the right-of-way shown on said proposed subdivision plan on premises now or formerly owned by "Meagle" to Laurel Road shall not be abandoned but shall be retained as an emergency access way subject to the direction and control of the Superintendent of Highways and the Director of the Department of Environmental Control of the Town of Clarkstown, and maintenance, if any, that is required on this emergency access right-of-way shall be paid for by the owners of Lots 1, 2 and 3 in accordance with the Declaration of Covenants herein required.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (51-1986)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
TRAFFIC SIGN (RANDI LANE AT
ROUTE 303, CONGERS)

Co. Carey offered the following resolution:

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RESOLUTION NO. (51-1986) Continued

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install:

An intersection sign (see Section 232.1 of the NYS DOT Manual of Uniform Traffic Control Devices, a W2-1 sign.) This sign to be erected on Randi Lane at Route 303, Congers, New York

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John O'Sullivan, for implementation.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (52-1986)

ESTABLISHING TOWN OF CLARKSTOWN BICENTENNIAL CELEBRATION COMMITTEE - FUNDING FOR SAME TO BE TRANSFERRED FROM CONTINGENCY ACCOUNT A-1990-505 TO A 7550-409

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown shall celebrate its bicentennial in 1991 and upon the recommendation of the Town Historian, it is appropriate to plan an event or events to commemorate the bicentennial of the Town of Clarkstown and also to provide public awareness of the history of the Town;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown Bicentennial Celebration Committee shall be formed to consist of twelve members who shall serve at the pleasure of the Town Board, and be it

FURTHER RESOLVED, that the sum of \$3,000.00 is hereby appropriated from Contingency Account No. A-1990-505 to be used by the Town of Clarkstown Bicentennial Celebration Committee (in formation) for the planning of events to be held during the calendar year 1991 to commemorate the bicentennial of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the sum of \$3,000.00 be transferred from Contingency Account No. A-1990-505 to A-7550-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (52-1986) Continued

Supervisor Holbrook wished to note that in 1791 Clarkstown was a town in the County of Orange so we predate Rockland County.

RESOLUTION NO. (53-1986)

ACCEPTING PROPOSALS FROM ORANGE AND ROCKLAND UTILITIES, INC., FOR OVERHEAD SYSTEM AT KEMMER LANE COMMUTER PARKING LOT AND NEW COMMUNITY PARKING LOT IN CONGERS

Co. Carey offered the following resolution:

WHEREAS, in a resolution adopted by the Clarkstown Town Board on November 26, 1985, Patricia A. Betz, Service Investigation Clerk, was directed to obtain proposals from Orange and Rockland Utilities, Inc. for additional lighting at the Kemmer Lane Commuter Parking Lot and the new community parking lot in Congers, and

WHEREAS, Orange and Rockland Utilities, Inc. submitted a proposal dated January 2, 1986 for the Kemmer Lane Commuter Parking Lot and a proposal dated January 6, 1986 for the community parking lot in Congers,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of Patricia A. Betz, Service Investigation Clerk, the Town Board of the Town of Clarkstown hereby accepts the overhead system proposal for the Kemmer Lane Commuter Parking Lot at a cost of \$2,715.00 and the proposal for the community parking lot in Congers.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (54-1986)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL FIRE LANE DESIGNATIONS AT A & H MALL, ROUTE 59, NANUET

Co. Maloney offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at A & H Mall, Route 59, Nanuet, New York by the installation of fire lane designations, and

WHEREAS, NATHAN PEKOFISKY, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

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RESOLUTION NO. (54-1986) Continued

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Bord of the Town of Clarkstown.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (55-1986)

ACCEPTING CORRECTED
CONSERVATION EASEMENT RE
JALCA BUILDING CORP. LOTS
1, 2, AND 3

Co. Maloney offered the following resolution:

RESOLVED, that a Corrected Conservation Easement affecting portions of Lots 1, 2 and 3 in a subdivision known as JALCA BUILDING CORP., is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Carey

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (56-1986)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #14-1986
(PRINTING OF 1986
FACILITIES/ACTIVITIES
BROCHURE

Co. Nowicki offered the following resolution:

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

BID #14-1986
PRINTING OF THE 1986 RECREATION
FACILITIES/ACTIVITIES BROCHURE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. Thursday, February 6, 1986 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal

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RESOLUTION NO. (56-1986) Continued

documents can be obtained at the Office of the Clarkstown Director of Purchasing.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (57-1986)

AMENDING TOWN BOARD
RESOLUTION NO. (1052-85)
RE: BID #12-1986
(GROUNDSKEEPING SUPPLIES)

Co. Nowicki offered the following resolution:

RESOLVED, that Town Board Resolution No. 1052-1985 is hereby amended to read:

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

BID No. 12-1986
GROUNDSKEEPING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, February 14, 1986 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

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (58-1986)

AWARDING BID FOR BID
#6-1986 (ATHLETIC/
RECREATION SUPPLIES
(VARIOUS BIDDERS) AND
AUTHORIZING DIRECTOR OF
PURCHASING TO READVERTISE
FOR BIDS FOR BID #6A-1986
(ATHLETIC/RECREATION
SUPPLIES (REBID PORTION)

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of

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RESOLUTION NO. (58-1986) Continued

Recreation and Parks, that the bid furnishing Athletic and Recreation Supplies is hereby awarded to the following low bidders who have met the specifications:

BID #6-1986 - ATHLETIC/RECREATION SUPPLIES

Passon's Sports
1017 Arch Street
Philadelphia, Pa. 19107

ARC Sports
113 Nash Road
Purdys, N.Y. 10578

Flaghouse Inc.
18 West 18th St.
New York, N.Y. 10011

Elliott Morris Co., Inc.
P.O. Box 164
Lynn, Ma 01903-0264

BSN Corp.
Box 7726
Dallas, Texas 75209

Morley's Sporting Goods
P.O. Box 557
Amsterdam, N.Y. 12010

Todd-Phelps Sporting Goods
1945 Palmer Avenue
Larchmont, N.Y. 10538

Sports Master
P.O. Box 9060
Pittsburgh, Pa. 15224

Kenmar
1578 White Plains Road
Bronx, N.Y. 10462

(Item Nos. and net bid price on file in Town Clerk's Office)

GROSS TOTAL FOR ALL ITEMS: \$21,430.64

and be it

FURTHER RESOLVED, that this amount (\$21,430.64) be charged against accounts:

7140-307.....	\$	308.88
7141-329.....	\$	3,188.10
7180-307.....	\$	2,658.02
7180-329.....	\$	104.45
7310-307.....	\$	8,166.88
7310-329.....	\$	5,957.99
7610-329.....	\$	129.69
7620-329.....	\$	916.63

\$ 21,430.64

and be it

FURTHER RESOLVED, that no bid awarded to item #73, 74, 77, 78, 79, 80, 81, 82, 83, 84, 85, and be it

FURTHER RESOLVED, that the Director of Purchasing is hereby authorized to readvertise for bids for new bids on the above unawarded items

BID #6A-1986
ATHLETIC/RECREATION SUPPLIES
(REBID-PORTION)

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, February 3, 1986 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal

Continued on Next Page

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RESOLUTION NO. (58-1986) Continued

documents can be obtained at the office of the Clarkstown Director of Purchasing.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (59-1986)

AWARDING BID FOR BID
#9-1986 (WORK CLOTHING)
-VARIOUS BIDDERS

ABE647

Co. Maloney offered the following resolution:

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

BID #9-1986
WORK CLOTHING

is hereby awarded to the following vendors as per the attached schedule of items and costs:

EASTERN UNIFORM CO.
DBA WEAR GUARD WORK CLOTHES
141 Longwater Dr
Norwell Mass 02061

BLISS TIRE & RUBBER CO INC
PO Box 106
536 Route 9W
Upper Nyack NY 10960

FRANK MURKEN INC.
95 Dahlia St
Schenectady NY 12306

LOU GOLDSTEIN UNIFORMS INC
200 So 13th Ave
Mt Vernon NY 10550

(SCHEDULE OF ITEMS AND COSTS ON FILE IN TOWN CLERK'S OFFICE).

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (60-1986)

AWARDING BID FOR BID
#67-1985 (REROOFING
CLARKSTOWN HIGHWAY
DEPARTMENT BUILDING ROOF

RESOLUTION NO. (60-1986) Continued

(R & S ROOFING & SHEET
METAL CO. INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Project Architect, Alan Denker; Supt. of Highways, John O'Sullivan and with the concurrence of the Town Comptroller and the Director of Purchasing,

NOW, THEREFORE, be it

RESOLVED, that

BID #67-1985
REROOFING OF THE CLARKSTOWN HIGHWAY DEPARTMENT
BUILDING ROOF

is hereby awarded to:

R & S ROOFING & SHEET METAL CO. INC.
39 West Prospect Avenue
Nanuet, NY 10954

as per their low bid proposal of \$177,284.00.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (61-1986)

AUTHORIZING TOWN ATTORNEY
TO DEFEND A PROCEEDING
(GEORGE CULOSO V. MEMBERS
OF THE ZONING BOARD OF
APPEALS, INDIVIDUALLY AND
THE ZONING BOARD OF APPEALS
OF THE TOWN OF CLARKSTOWN)

Co. Maloney offered the following resolution:

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

GEORGE CULOSO,

Petitioner,

for a judgment pursuant to CPLR Article 78

-against-

ELIZABETH J. SQUILLACE, Chairperson, WILLIAM NIEHAUS, JOSEPH MARAIA, PENNY LEONARD, EDWARD GRAYBOW, CATHERINE McDOUGALL and DAVID KRAUSHAAR, constituting the ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN and THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN,

Respondents.

Continued on Next Page

RESOLUTION NO. (61-1986) Continued

NOW, THEREFORE, be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

ABE647

RESOLUTION NO. (62-1986)

AMENDING RESOLUTION NO.
(1021-1985) GRANTING
280-A(2)(RICHARD H. AND
BARBARA L. PLESAK)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 1021-1985 dated November 26, 1985, is hereby revised and amended as follows:

Item "b" is amended to read as follows:

"(b) Applicant shall install pavement in accordance with recommendations of the Department of Environmental Control in the bed of Chester Avenue from its intersection with Old Haverstraw Road not less than twenty-five (25') feet in length and to a width and depth in accordance with the direction received from the Department of Environmental Control. The balance of the access way to the premises intended to be constructed may be a graveled driveway to be installed and maintained in accordance with the provisions of the required Declaration of Covenant."

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (63-1986)

SETTING PUBLIC HEARING TO
CONSIDER DESIGNATION OF AN
HISTORICAL SITE (MAP 91,
BLOCK A, PORTION OF LOT 12)

Co. Maloney offered the following resolution:

WHEREAS, it has been proposed that the house located at 312 Strawtown Road, West Nyack, New York more particularly described on the Tax Map of the Town of Clarkstown as Map 91, Block A, Portion of Lot 12, be designated as an Historical Site pursuant to Chapter 12-3(C) of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLUTION NO. (63-1986) Continued

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the Tax Map of the Town of Clarkstown as Map 91, Block A, Portion of Lot 12, be designated as an Historical Site pursuant to Chapter 12-3(C) of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 11th day of February, 1986, at 8:05 P.M., to consider the designation of the aforesaid property as an Historical Site, and be it 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 said Clerk.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (64-1986)

AUTHORIZING TOWN ATTORNEY TO RETAIN SERVICES OF A REAL ESTATE APPRAISER AND OTHER QUALIFIED PROFESSIONALS - CHARGE TO ACCOUNT A7510-409

Co. Maloney offered the following resolution:

WHEREAS, a public hearing has been scheduled pursuant to the authority of Section 64 of the Town Law and Chapter 12-3(C) of the Town Code of the Town of Clarkstown regarding the possible designation of 312 Strawtown Road, West Nyack, New York, as an historical site;

NOW, THEREFORE, be it

RESOVED, that on the recommendation of the Town Attorney of the Town of Clarkstown, the Town Attorney is hereby authorized to retain the services of a real estate appraiser and other qualified professionals to investigate subject premises for the purpose of presenting findings as to economic impact, if any, should the premises be afforded protection as an historic location, and be it

FURTHER RESOLVED, that the sum of \$2,000.00 is hereby appropriated from Account No. A-7510-409 for subject investigation as may be deemed appropriate by the Town Attorney.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (65-1986)

GRANTING ACCESS TO
SUPERVISOR AND COMPTROLLER
TO BOX NO. 431 AT CHEMICAL
BANK, NANUET, NEW YORK (FOR
STORAGE OF COMPUTER TAPES)

Co. Carey offered the following resolution:

WHEREAS, it is necessary to maintain a safe deposit box
to keep the Town of Clarkstown's computer tapes,

NOW, THEREFORE, be it

RESOLVED, that access to Box No. 431, in the vaults of
Chemical Bank, Nanuet, New York shall be given to Charles E.
Holbrook, Supervisor and Louis J. Profenna, Comptroller.

Seconded by Co. Maloney

On roll call the vote is as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (66-1986)

AUTHORIZING ATTENDANCE AT
PROFESSIONAL DEVELOPMENT
PROGRAM (BUILDING
INSPECTORS McLEOD AND
FLORENCE) - CHARGE TO
ACCOUNT NO. 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that two (2) Assistant Building Inspectors are
authorized to attend a Professional Development Program sponsored by
the University of Wisconsin, Madison, Wisconsin from January 20 to
24, 1986 (David McLeod and Peter Florence)

FURTHER RESOLVED, that all necessary expenses be a
proper town charge against Appropriation Account No. 1010-414.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (67-1986)

AUTHORIZING DENKENSHEIN
DENKER TO INSTRUCT PREMIER
RESTORATION AND SUPPLY CO.
TO CONDUCT ROOFING WORK ON
TOWN HALL

Co. Maloney offered the following resolution:

RESOLVED, that Denkenshein Denker is authorized to
instruct Premier Restoration and Supply Co., contractor to proceed
with the removing of the existing roofing and to install new

Continued on Next Page

ABE647

RESOLUTION NO. (67-1986) Continued

insulation and a new single-ply membrane roofing system - and that the single-ply membrane roofing system be installed over the concrete helipad as well as on the surrounding roof.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (68-1986)

AUTHORIZING DIRECTOR OF DEPARTMENT OF ENVIRONMENTAL CONTROL TO HIRE CAL-MART CONTRACTORS, INC. TO PERFORM CORRECTIVE DRAINAGE WORK - CHARGE CAPITAL NO. 2 DRAINAGE - Project 25P-1 -1986

Co. Maloney offered the following resolution:

WHEREAS, an adverse drainage condition exists at the end of Yellowstone Drive, West Nyack, New York; and

WHEREAS, the Director of the Department of Environmental Control has advised that removing the existing asphaltic temporary turn-around and digging a channel in an easterly direction and then replacing the turn-around with asphalt at a proper pitch will be the most economical way to ameliorate this problem;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to hire Cal-Mart Contractors, Inc., to perform this corrective drainage work for a sum not to exceed \$6,100.00, and be it

FURTHER RESOLVED, that the cost for the above be charged against Capital 2 Drainage.

Seconded by Co. Nowicki

On roll call the vote is as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (69-1986)

AUTHORIZING RENEWAL OF AGREEMENT WITH HI-TOR ANIMAL CARE CENTER, INC.

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into a renewal agreement with the Hi-Tor Animal Care Center, Inc., to utilize said facilities as an animal shelter and pound for the Town of Clarkstown for the

RESOLUTION NO. (69-1986) Continued

period commencing January 1, 1986 and terminating on December 31, 1986 with the provision to increase the per diem fees to six (\$6.00) dollars per diem per dog and all other terms and conditions to remain the same.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

ABE647

RESOLUTION NO. (70-1986)

AUTHORIZING ATTENDANCE AT
BUS INDUSTRY COMPUTER FORUM
(JOSEPH LEWIS) - CHARGE
ACCOUNT 5630-414

Co. Maloney offered the following resolution:

RESOLVED, that Joseph Lewis, Transit Operations Supervisor of the Town of Clarkstown, is hereby authorized to attend the Bus Industry Computer Forum - Somerset, New Jersey, March 3rd, 4th and 5th, and be it

FURTHER RESOLVED, that all proper charges, not exceeding \$300.00 be charged against 5630-414.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (71-1986)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
ONE (1) HYDRANT WEST SIDE
CARLTON COURT, NEW CITY,
NEW YORK - INVESTIGATION
NUMBER 9840

Co. Maloney 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 Carlton Court, Investigation No.: 9840, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (71-1986) Continued

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (72-1986)

ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETINGS
OF NOVEMBER 26TH AND
DECEMBER 10th, 1985 AND
SPECIAL TOWN BOARD MEETING
OF DECEMBER 16, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the regular Town Board meetings of November 26th and December 10th and the special Town Board meeting of December 16, 1985 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (73-1986)

ACCEPTING PROPOSAL FROM
ORANGE & ROCKLAND
UTILITIES, INC., FOR STREET
LIGHTING AT ROCKFORD DRIVE,
WEST NYACK; GRAND STREET,
NEW CITY; AND DEERFIELD
DRIVE, NEW CITY

Co. Lettre offered the following resolution:

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

WHEREAS, a survey of surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Service Investigation Clerk, and

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

NOW, THEREFORE, be it

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

Rockford Drive	West Nyack
(Existing pole number 59774/40642 - 1 5800 lumen sodium vapor)	

Grand Street	New City
(Existing pole numer 58912/41609 - 1 5800 lumen sodium vapor)	

RESOLUTION NO. (73-1986) Continued

Deerfield Drive New City
(Existing pole number 59534/41546 - 1 5800 lumen
sodium vapor)

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (74-1986)

AWARDING FEASIBILITY STUDY
TO HENRY HOROWITZ, INC.
RE: SIDEWALKS ALONG KINGS
HIGHWAY, VALLEY COTTAGE -
TRANSFER FUNDS FROM
CONTINGENCY ACCOUNT NO. A
1990-505 TO APPROPRIATION
ACCOUNT NO. A 8730-409

Co. Lettre offered the following resolution:

WHEREAS, Henry Horowitz, Inc., has submitted a proposal
for a feasibility analysis for installation of sidewalks along Kings
Highway in Valley Cottage, New York which has been reviewed and
recommended by the Director of the Department of Environmental
Control;

NOW, THEREFORE, be it

RESOLVED, that Henry Horowitz, Inc., 55 Virginia Avenue,
West Nyack, New York 10994, is hereby awarded this feasibility
study at a cost of \$1,500.00, and be it

FURTHER RESOLVED, that \$1,500.00 be transferred from
Contingency Account A 1990-505 to Appropriation Account A-8730-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (75-1986)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
(MORONI V. ZONING BOARD OF
APPEALS)

Co. Lettre offered the following resolution:

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

In the Matter of

ALBERT T. MORONI and PATRICIA MORONI,

Continued on Next Page

ABE647

RESOLUTION NO. (75-1986) Continued

Petitioners,

-against-

ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN,
NEW YORK, ELIZABETH J. SQUILLACE, WILLIAM NIEHAUS,
DAVID KRAUSHAAR, CATHERINE McDOUGALL, EDWARD
GRAYBOW, PENNY LEONARD and JOSEPH MARAIA, members
for Judgement under CPLR Article 78,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (76-1986)

AUTHORIZING TOWN ATTORNEY
TO DEFEND ACTION (BOARD OF
MANAGERS OF NEW HOLLAND
VILLAGE CONDOMINIUM)

Co. Maloney offered the following resolution:

WHEREAS, an action has been instituted against the Town
of Clarkstown entitled as follows:

BOARD OF MANAGERS OF THE NEW
HOLLAND VILLAGE CONDOMINIUM,

Plaintiff,

-against-

JOANNE P. SARTER, FEDERAL HOME LOAN MORTGAGE
ASSOCIATION, CLARKSTOWN SCHOOL DISTRICT,
TOWN OF CLARKSTOWN & COUNTY OF ROCKLAND,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (77-1986)

APPOINTING POSITION OF
STENOGRAPHER - TOWN JUSTICE
DEPARTMENT (LISA BERKOWITZ)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Stenographer CR-2 86-1 which contains the name of Lisa Berkowitz,

NOW, THEREFORE, be it

RESOLVED, that Lisa Berkowitz, 122 Coolidge Street, Haverstraw, New York, is hereby appointed to the position of Stenographer - Town Justice Department - at the current 1986 annual salary of \$12,589.00, effective and retroactive to January 6, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (78-1986)

APPOINTING TO POSITION OF
MEMBER - FIRE BOARD OF
APPEALS (FILLING UNEXPIRED
TERM OF RAYMOND ROTH) -
(JOHN KIVLEHAN)

Co. Maloney offered the following resolution:

RESOLVED, that John Kivlehan, 177 Rose Road, West Nyack, New York, is hereby appointed to the position of Member - Fire Board of Appeals - (to fill the unexpired term of Raymond Roth) - to serve without compensation - term to commence on January 15, 1986 and to expire on February 27, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (79-1986)

APPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(DEANNA SANDERSON)

Co. Maloney offered the following resolution:

RESOLVED, that Deanna Sanderson, 334 Strawtown Road, New City, New York is hereby appointed to the position of Member - Industrial Development Committee - to serve without compensation - term to commence on January 15, 1986 and to expire on January 14, 1989.

Seconded by Co. Lettre

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RESOLUTION NO. (79-1986) Continued

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (80-1986)

APPOINTING POSITION OF
YOUTH COMMISSION MEMBER
(STUDENT) (NOEL SPEAR)

Co. Maloney offered the following resolution:

RESOLVED, that Noel Spear, 1 The Glen, New City, New York is hereby appointed to the position of Youth Commission Member (Student) - to serve without compensation - term effective and retroactive to January 1, 1986 and to expire on December 31, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (81-1986)

APPOINTING POSITION OF
MEMBER - SANITATION
COMMISSION (FILLING
UNEXPIRED TERM OF GREG
TACCHINO) - (DIANA HESS)

Co. Maloney offered the following resolution:

RESOLVED, that Diana Hess, 254 Sickletown Road, West Nyack, New York, is hereby appointed to the position of Member - Sanitation Commission - (to fill the unexpired term of Greg Tacchino) - term effective and retroactive to January 13, 1986 and to expire on December 31, 1986, at the current 1986 annual salary of \$1,000.00.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (82-1986)

RESCINDING RESOLUTION NO.
(45-1986) GRANTING LEAVE OF
ABSENCE TO GLADYS LEWIS

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 45-1986 - granting a

RESOLUTION NO. (82-1986) Continued

one-month leave of absence, without pay, is hereby rescinded at the request of Gladys Lewis.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (83-1986)

ACCEPTING RESIGNATION OF
CUSTODIAN I - PARKS BOARD &
RECREATION COMMISSION
(JAMES J. CUSANO)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of James J. Cusano, 12 Prospect Street, Garnerville, New York as Custodian I - Parks Board & Recreation Commission - is hereby accepted, effective January 17, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (84-1986)

APPOINTING POSITION OF
MEMBER - CONDOMINIUM
INFORMATION BOARD (DOROTHY
GIAIMO)

Co. Maloney offered the following resolution:

RESOLVED, that Dorothy Giaimo, 147 Treetops Circle, Nanuet, New York 10954 - is hereby appointed to the position of Member - Condominium Information Board - to serve without compensation - term to commence January 15, 1986 and to expire on January 14, 1993.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilman Nowicki.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (85-1986)

GRANTING A THREE MONTH
LEAVE OF ABSENCE TO DOG
CONTROL OFFICER - POLICE
DEPARTMENT (EVELYN CLARK)

ABE647

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RESOLUTION NO. (85-1986) Continued

Co. Maloney offered the following resolution:

WHEREAS, Evelyn Clark has requested a leave of absence without pay, and

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement of January 1, 1984 provides for a leave of absence without pay,

NOW, THEREFORE, be it

RESOLVED, that Evelyn Clark, 15 Stern Place, Congers, New York - Dog Control Officer - Police Department - is hereby granted a three month leave of absence, without pay, effective and retroactive to January 8, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (86-1986)

APPOINTING POSITION OF
TYPIST - TOWN JUSTICE
DEPARTMENT (JOAN COHEN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Typist CR-1 85-84 which contains the name of Joan Cohen,

NOW, THEREFORE, be it

RESOLVED, that Joan Cohen, 273 Old Route 304, New City, New York, is hereby appointed to the position of Typist - Town Justice Department - at the current 1986 annual salary of \$12,589.00, effective February 17, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (87-1986)

AUTHORIZING ATTENDANCE AT
SEMINAR ON SEQR (LESLIE F.
BOLLMAN, DIRECTOR AND
KURIAN L. KALARICKAL,
DEPUTY DIRECTOR -
DEPARTMENT OF ENVIRONMENTAL
CONTROL) - CHARGE TO
APPROPRIATION ACCOUNT NO. A
1010-414

Co. Carey offered the following resolution:

RESOLUTION NO. (87-1986) Continued

RESOLVED, that Leslie F. Bollman, Director and Kurian L. Kalarickal, Deputy Director, Department of Environmental Control of the Town of Clarkstown, are hereby authorized to attend a seminar on SEQR scheduled for Friday, February 21, 1986 at the White Plains Hotel, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (88-1986)

REFERRING PETITION OF THE
MALL AT 59 CORP. TO THE
PLANNING BOARD AND THE
PLANNING CONSULTANT

Co. Maloney offered the following resolution:

RESOLVED, that petition of The Mall at 59 Corp. for a variance pursuant to Local Law No. 7-1985 (Route 59 Corridor Moratorium Law) be referred to the Planning Board and the Town Planning Consultant Raymond, Parish, Pine & Weiner, Inc., for report and recommendation on or before February 10, 1986, in accordance with the provisions of said Local Law.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (89-1986)

CHANGING POSITION OF TOWN
COMPTROLLER FROM LEVEL D TO
LEVEL G

Co. Lettre offered the following resolution:

RESOLVED, that the position of Town Comptroller, in accordance with a memorandum of agreement with the Clarkstown Special Bargaining Unit, is hereby changed from Level D to Level G.

Seconded by Co. Carey

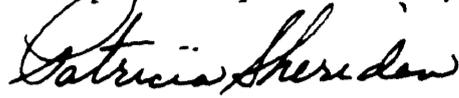
On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

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There being no further business to come before the Town Board, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 9:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/14/86

8:35 P.M.

Present Supervisor Holbrook
Councilmen Carey, Maloney, Nowicki
Councilman Lettre absent at opening of this hearing
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO LOCAL LAW NO. 4-1984 ENTITLED "LITTERING
AND POSTING"

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing. Town Attorney testified as to proper posting and publication. Town Attorney gave an explanation of the change to the Town Code (amend Section 64-2) as it was not previously clearly defined. This deals with the prohibition of handbills, placards, notices and advertisements. This section is being amended to prohibit the posting within the public right-of-way. There was a problem in that the last section was not clearly defined and this is an attempt to more clearly define and be particular with respect to the various types of roadways which exist within the Town of Clarkstown so that when we are dealing with a limited access road no one can post within twenty (20) feet of the edge, forty (40) feet from the center line of a major road and twenty-five (25) feet from the center line of a collector or local road.

Appearance: Mrs. Audrey Paley, Chairperson
Litter Control Bureau

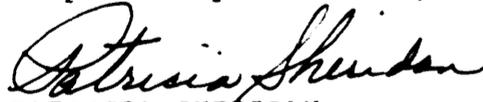
Mrs. Paley said that anything that can be done to further clarify the law which is already on the books would certainly be appreciated. She stated that in the future politicians as well as garage sale givers, roofers, lawn maintenance people, etc. will not clutter up the highways as they have been doing and hopefully if the law is made clear enough the signs will not go up in the first place. If they do go up the Highway Department will also be clear as to just where its jurisdiction lies so that they will not be subject to complaint by people who put up signs.

Supervisor asked if there was anyone present wishing to comment either for or against the proposed law.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, time: 8:40 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(ADOPTED BY RESOLUTION NO. 47-1986)

TOWN OF CLARKSTOWN
PUBLIC HEARING

295

Town Hall

1/14/86

8:43 P.M.

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

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE HIDDEN RIDGE

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing was declared open, time: 8:43 P.M.

Town Attorney asked that the record show that there is on file an affidavit as to the qualification in evidence which will enable the Town Board to grant a proposed extension and that an affidavit was submitted by Mr. Bollman to the sufficiency and need.

Supervisor asked if there was anyone wishing to be heard in favor of this proposed extension.

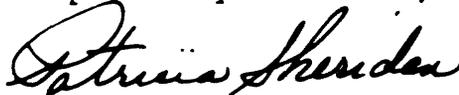
IN FAVOR: No one appeared.

Supervisor asked if there was anyone wishing to be heard in opposition to this proposed extension.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing was declared closed, ORDER SIGNED, time: 8:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

297

Town Hall

1/14/86

8:45 P.M.

Present: Supv. Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDING RESOLUTION NO. 1022-85 CONCERNING AMENDMENT TO THE
ZONING ORDINANCE - 106-10A, TABLE 16 OF GENERAL BULK REGULATIONS

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and Town Attorney testified as to proper posting and publication.

Town Attorney stated that the purpose of the proposed amendment is to add provision to the Bulk Tables which would permit certain decks to be erected on houses in the Town of Clarkstown and not be considered to be a projection into a required rear yard or a required side yard as would be the case for certain decks.

The incentive to adopt this amendment to the code is the result of a number of houses built during the 60's and 70's on property that at the time was zoned in a smaller area district and has since been up zoned. The result of the upzone was to increase the required rear yard and for those houses that did not have decks built when the houses were approved it limits the ability to have a deck. It requires that a variance be obtained and it has been the experience of the Town Zoning Board of Appeals and the Town Board that most applications for variances are routinely granted; however, after much paper work, time and effort is expended. The proposed amendment represents, if adopted, a positive decision on the part of the Town Board to no longer require such decks to seek variances to be legally permitted.

Town Attorney said there are also two minor adjustments being made to two of the Notes on Table 16, which is the General Bulk Regulations. That is just a technical adjustment of some language that has proved to be gramatically incorrect in the past. He stated that there had been no comment adverse to the one note and the Planning Board has taken the position that it should be twenty-five (25) feet instead of fifteen (15) feet with respect to Note 3. He asked if someone else could address that point as it was one with which he was not too familiar.

He said there was correspondence from the Town Planning Board indicating that they concur with the proposed changes in all respects except with respect to Note 3 which is proposed to provide for a fifteen (15) foot side yard when a certain development is adjacent to a residential district. Planning Board is recommending a distance of twenty-five (25) feet. In all other respects they suggest the Town Board adopt the ordinance.

Supervisor asked if there was anyone present wishing to speak for or against the proposed amendment.

IN FAVOR

Appearance: Mr. John Lodico
New City, New York

Mr. Lodico said this resolution was needed in this Town and had been twenty years in coming. He gave his unqualified support to this.

Appearance: Mr. Gerald Colucci
Bldg. Inspector - Town of Clarkstown

Mr. Colucci said he was speaking regarding Item 1(A). He said this was not the intent under Note 3. He said when adjacent

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to a commercial district none is required - they are talking about side yards under the CS and LS zones but when provided shall be fifteen (15) feet. When adjacent to a residential use or district the distance shall be twenty-five (25) feet. He said he had suggested that they eliminate residential use. There are some persons in a commercial zone who could have a use by right which is next to a residence which is of non-conforming use. He said why should we penalize someone who has the right as somebody who is there under a non-conforming use. He wanted to eliminate the word "use." What should have been added after fifteen (15) feet when adjacent to a residential district the distance shall be twenty-five (25) feet.

Town Attorney said if the Board wants to act on Mr. Colucci's suggestion this will have to be deferred to a later date. In that case you would not adopt resolution A but you would have to adopt resolution B. You will have to republish the change that is being suggested.

Supervisor asked if we could pass "A" and amend it at a later date? Town Attorney said that would be fine.

Mr. Colucci said you are amending the Bulk Table but this does not apply to subdivision plats which were granted 281 where they waived it or lowered the side or rear yards or also non-conforming side or rear yards. This is not going to be every lot. Supervisor said that was understood.

Town Attorney said that Mr. Colucci's memo had arrived in his office at 4:30 this afternoon and he had not had time to go over it. He said he was aware that it does not cure the whole problem but is just a step in the right direction.

There being no one further wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, time: 8:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(ADOPTED BY RESOLUTION NO. (48-1986))