

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/11/86

8:00 P.M.

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

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

Supervisor read the following Proclamation:

"PTA MONTH
February, 1986

WHEREAS, PTA will this year celebrate the 89th
birthday of the National Congress of
Parents and Teachers, and

WHEREAS, PTA is comprised of many men and women
dedicated to the principles of quality education,
better communication between the schools and the
community, and aid and assistance to their
school districts, and

WHEREAS, throughout the past 89 years, PTA has a history of
many contributions to the health, welfare and
safety of its children, and

WHEREAS, the people of Clarkstown owe a great debt of gratitude
to these dedicated individuals who have worked so
diligently on behalf of all our youth, and

WHEREAS, we are proud to honor this group of people whose vital
endeavors are all too often not properly recognized;

NOW, THEREFORE, BE IT RESOLVED, that I, Charles E. Holbrook,
Supervisor of the Town of Clarkstown, on behalf of the Town
Board, do hereby proclaim the month of February, 1986 as "PTA
MONTH" and urge all our residents to continue their support of
the PTA movement and give recognition and honor to the many
important works they have performed.

IN WITNESS WHEREOF I HEREUNTO SET
MY HAND AND CAUSE THE SEAL OF THE
TOWN OF CLARKSTOWN TO BE AFFIXED
THIS 11th DAY OF FEBRUARY, 1986

CHARLES E. HOLBROOK, Supervisor
William Carey, Councilman
Edward J. Lettre, Councilman
John R. Maloney, Councilman
Catherine Nowicki, Councilman"

Toni Velkellis accepted on behalf of the PTA and
thanked the Town Board.

Supervisor Holbrook declared the public portion of the
meeting open.

Appearance: George Zuckerman
Chairman of the Normandy Village Tenants
Association

Continued on Next Page

AAG517

He requested an explanation of Item 33 on the Agenda

The Town Attorney explained that the intent of the resolution was to rescind section 352EEE of the General Business Law and to enact section 352E(2A) of the General Business Law.

Mr. Zuckerman was opposed to this. Mr. Zuckerman spoke on behalf of ETPA and submitted petitions with 300 signatures regarding the implementation of ETPA. He also submitted a copy of a letter to Supervisor Charles Holbrook from Steve Fomson and a memorandum from Robert Geneslaw to the Town Board and the Normandy Village Tenants Association Position Papers and asked that these be made part of the record and that this correspondence is on file in the Town Clerk's Office.

Appearance: Mr. Levy
Normandy Village

He spoke in opposition to the rescinding of Item No. 33 which was 352EEE and regarding the rent agreement increase.

Appearance: Jacqueline Cadet
90 Northgate Gardens
Central Nyack

She spoke regarding rent increases.

Appearance: John Lodico
New City

He spoke regarding the Red Hill Road project and item No. 3 regarding warehouse lease.

Resolution No. (135-1986) AUTHORIZING LES BOLLMAN TO
DRAW UP PRELIMINARY
SPECIFICATIONS FOR
IMPROVEMENT OF N. FAIRVIEW
AVE., NANUET, NY

Co. Maloney offered the following resolution:

WHEREAS, various residents of the Town of Clarkstown whose property has frontage on North Fairview Avenue in the Hamlet of Nanuet, have requested that the Town Board consider establishing a road improvement district affecting premises fronting on North Fairview Avenue, which parcels are listed on the attached Schedule "A," and

WHEREAS, the Town Board wished to obtain definite plans and specifications and a careful estimate of the expenses for the proposed road improvement district;

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is hereby authorized and directed to prepare definite plans and specifications and to make a careful estimate of the expense and to prepare a proposed contract for the execution of the work required for said improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed, should same be required to obtain the services of a licensed land surveyor for the purposes of surveying and establishing the street line and including any necessary widenings and turnarounds for a sum not to exceed \$2500.00 for survey purposes.

Seconded by Co. Nowicki

RESOLUTION NO. (135-1986) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (136-1986)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT RE TOWN
OF CLARKSTOWN WAREHOUSE LEASE

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Parks and Recreation of the Town of Clarkstown, the Supervisor is hereby authorized and directed to enter into a lease with Leif Bergstol and Milton B. Shapiro for premises presently used as a Town of Clarkstown warehouse on Route 303, Valley Cottage, New York at an annual rent, commencing on February 1, 1986, of \$45,000 for a term of 10 years with a provision for a right of cancellation upon two years' notice, said lease to be in a form approved by the Town Attorney; and be it,

FURTHER RESOLVED, that this resolution shall be retroactive to January 30, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (137-1986)

AUTHORIZING RESTRICTING OF
THE USE OF TOWN HALL PARKING
LOT TO TOWN EMPLOYEES AND
THOSE PEOPLE HAVING BUSINESS
IN TOWN HALL

Co. Carey offered the following resolution:

WHEREAS, the Town Hall parking lot located in New City has been subject to use by persons who have no business dealings with the Town of Clarkstown, and

WHEREAS, said use is interfering with the ability of Town departments and agencies to carry out functions and serve the public,

NOW, THEREFORE, be it

Continued on Next Page

ABE647

RESOLUTION NO. (137-1986) Continued

RESOLVED, pursuant to the authority contained in Section 1670 of the Vehicle and Traffic Law, the Town hereby restricts the use of the Town Hall parking lot located on Maple Avenue between New City-Congers Road and Demarest Avenue, to Town employees and those persons having business in Town Hall. Any other parking shall be subject to fines in accordance with Section 130(15) of the Town Law.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (138-1986)

REFERRING PETITION OF CLARKSTOWN HEATING AND AIR CONDITIONING CORP., TO THE PLANNING BOARD AND PLANNING CONSULTANT

Co. Maloney offered the following resolution:

RESOLVED, that the petition of Clarkstown Heating and Air Conditioning Corp., for a variance pursuant to Local Law No. 7-1985 (Route 50 Corridor Moratorium Law) be referred to the Planning Board and the Town Planning Consultant, RPPW, Inc., for report and recommendation on or before February 27, 1986, in accordance with the provisions on or before February 27, 1986, in accordance with the provisions of said local law, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 30, 1986.

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. (139-1986)

AUTHORIZING THE TOWN TO ESTABLISH INDIVIDUAL BUDGETS FOR EACH COMMUNITY DEVELOPMENT PROJECT

Co. Maloney offered the following resolution:

WHEREAS, New York State Audit & Control requires the Town of Clarktown to establish individual budgets for each Community Development Project, BE IT THEREFORE

RESOLVED, to increase the following revenue and appropriation account numbers:

Continued on Next Page

RESOLUTION NO. (139-1986) Continued

REVENUE

01-004989-01 Child Daycare Center\$3,333
 01-004989-02 ROCAC..... 3,333
 01-004989-03 Rockland Family Shelter.....3,333

APPROPRIATIONS

A8989-407 Child Daycare Center.....3,333
 A8989-408 ROCAC.....3,333
 A8989-409 Rockland Family Shelter.....3,333

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (140-1986)

RESOLUTION AUTHORIZING THE
 SUPERINTENDENT OF HIGHWAYS
 TO PERFORM CORRECTIVE
 DRAINAGE WORK ON STREAM
 #NJ1-13-2 IN THE VICINITY OF
 LOTS 123F3.02; 3.03; 3.05

Co. Lettre offered the following resolution:

WHEREAS, a drainage adverse condition exists in the vicinity of Lots 123F3.02; 123F3.03; 123F3.05 off Ridge Road in Valley Cottage, New York and

WHEREAS, the Department of Environmental Control has recommended a solution to ameliorate said condition;

NOW, THEREFORE, be it resolved that the Supt. of Highways be authorized to perform corrective drainage work in the vicinity of Ridge Road, Valley Cottage, New York in accordance with the design prepared by the Department of Environmental Control for a sum not to exceed \$14,000, and be it

FURTHER RESOLVED, that the Supt. of Highways is authorized to hire the necessary equipment to accomplish this corrective drainage work and supply the necessary supervision and be it

FURTHER RESOLVED, that the sum of \$14,000. be charged to drainage Bond Capital Account #2.

Seconded by Co. Carey

RESOLUTION NO. (140-1986) Continued

On roll call the vote was as follows:

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

ABE209

RESOLUTION NO. (141-1986)

AUTHORIZING REDUCTION IN AMOUNT OF PERFORMANCE BOND - ENDURA HOMES, INC. - RE "TALL PINES"

Co. Nowicki offered the following resolution:

WHEREAS, a performance bond in the form of a Passbook in the sum of \$35,050.00 was assigned to the Town of Clarkstown by ENDURA HOMES, INC. covering the improvements and other facilities as shown on the Final Plat of TALL PINES, and

WHEREAS, the Department of Environmental Control of the Town of Clarktown has recommended that the amount of the performance bond be reduced as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the amount of the performance bond is hereby reduced to \$20,050 subject to the execution of a performance guaranty and assignment in a form approved by the Town Attorney.

Seconded by Co. Maloney

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

RESOLUTION NO. (142-1986)

AUTHORIZING RETURN OF ESCROWS RE DEDICATED KOLOWSKI SUBDIVISION

Co. Nowicki offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Superintendent of Highways of the Town of Clarktown, maintenance bond secured by a passbook in the sum of \$825.00 furnished to the Town in connection with dedication of the road and improvements on July 12, 1983, in a subdivision known as KOLOWSKI SUBDIVISION is terminated and the sum of \$825.00 be released to the guarantor; and be it

FURTHER RESOLVED, that escrows for imcomplete work totaling \$4,000 also furnished to the Town at the time of dedication be released to the guarantor.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (143-1986)

AUTHORIZING AQUATIC DIRECTOR
TO ATTEND AQUATIC SYMPOSIUM
OF THE NATIONAL SPA AND POOL
INSTITUTE AND \$450.00
CHARGED AGAINST
APPROPRIATION ACCOUNT A
7180-414

Co. Maloney offered the following resolution:

RESOLVED, that Martin Silverberg, Aquatic Director, is hereby authorized to attend the 1986 Aquatic Symposium of the National Spa and Pool Institute from March 23, 1986 through March 26, 1986 in Indianapolis, Indiana, and

FURTHER RESOLVED, that registration and transportation expenses not to exceed \$450.00 be charged against Appropriation Account A 7180-414.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (144-1986)

AUTHORIZING SUPT. OF
HIGHWAYS TO ERECT SIGNS ON
KEMMER LANE SO THAT TOWN OF
CLARKSTOWN SHALL NOT BE
RESPONSIBLE FOR DAMAGE OR
LOSS OF PROPERTY

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board has established a commuter parking lot on Kemmer Lane, Nanuet, New York, pursuant to Chapter 71 of the Code of the Town of Clarkstown, and

WHEREAS, it is not possible to provide security for all hours said lot is in operation and users should be notified to lock their cars and protect their valuables from theft or damage;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is authorized and directed to erect signs at said commuter parking location advising all users to lock their cars, protect their valuables and that the Town of Clarkstown shall not be responsible for damage or loss to personal property.

Seconded by Co. Carey

On roll call the vote was as follows:

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

ABE209

RESOLUTION NO. (145-1986)

AUTHORIZING HOWARD L. LAMPERT, P.E. TRAFFIC AND HIGHWAY ENGINEERING CONSULTANT TO SUBMIT TO NYS DOT NECESSARY DATA TO APPLY FOR INCLUSION IN STATE AND FEDERALLY FUNDED HAZARD ELIMINATION SYSTEMS PROGRAM

Co. Maloney offered the following resolution:

WHEREAS, by Resolution dated July 19, 1985, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant, was retained for the purposes, among others, of identifying accident prone locations within the Town of Clarkstown for inclusion into a state and federally funded Hazard Elimination Systems Program, and

WHEREAS, by report dated October 27, 1985, Howard L. Lampert has identified five (5) locations which may qualify for federal and state funding for improved safety;

NOW, THEREFORE, be it

RESOLVED, that Howard L. Lampert, P.E., is authorized and directed to prepare and submit on behalf of the Town of Clarkstown Project and Initiation reports for the locations identified and otherwise complete all necessary documents for application for funding for such safety improvements.

Seconded by Co. Nowicki

- Co. Carey.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Co. Nowicki.....Yes
- Co. Holbrook.....Yes

RESOLUTION NO. (146-1986)

GRANTING PERMISSION TO THE ROCKLAND COUNTY ANCIENT ORDER OF HIBERNIANS TO USE THE SHOWMOBILE

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Ancient Order of Hibernians has requested use of the Town of Clarkstown showmobile on Sunday, March 23, 1986, for the Annual St. Patrick's Day Parade in Pearl River, New York,

NOW, THEREFORE, BE IT

RESOLVED, that permission is hereby granted to the Rockland County Ancient Order of Hibernians to use the Town of Clarkstown showmobile on Sunday, March 23, 1986, for the above purposes and subject to the provision of the necessary insurance policies.

Seconded by Co. Maloney

On roll the vote was as follows:

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

RESOLUTION NO. (147-1986)

AUTHORIZING THE SUPERVISOR
TO ENTER INTO AN AGREEMENT
WITH THE NEW YORK STATE
DEPARTMENT OF TRANSPORTATION
TO CONSTRUCT TWO PARK AND
RIDE FACILITIES AND
AUTHORIZING THE TOWN
COMPTROLLER TO PREPARE AN
ESTIMATED OPERATING BUDGET
AND PROPOSED FEE SCHEDULE

Co. Maloney offered the following resolution:

WHEREAS, the New York State Department of
Transportation has proposed to construct two park and ride
facilities within the Town of Clarkstown adjacent to Interchanges
12 and 14 of the New York State Thruway to reduce congestion
during commuter peak hours, and

WHEREAS, the New York State Department of
Transportation has proposed to enter into an agreement with the
Town of Clarkstown to maintain and operate said facilities;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown
is hereby authorized and directed to enter into an agreement with
the New York State Department of Transportation in a form
proposed by the Department of Transportation, and be it

FURTHER RESOLVED, that the Town Comptroller is hereby
authorized and directed, when necessary data is available, to
prepare an estimated operating budget and proposed fee schedule
in coordination with the New York State Department of
Transportation.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (148-1986)

AUTHORIZING DIRECTOR OF
ENVIRONMENTAL CONTROL TO
PERFORM CORRECTIVE DRAINAGE
WORK ON PHILLIPS HILL ROAD
AND THE COST BE CHARGED TO
CAPITAL BOND ACCOUNT #2

Co. Maloney offered the following resolution:

WHEREAS, an undersized and deteriorated drainage pipe
exists in Phillips Hill Road, and

WHEREAS, Rockland County Sewer District #1 has
submitted a proposal from their contractor, A. Cestone Company,
who is installing the County Sewer interceptor, for the
replacement of this deteriorated culvert, and

WHEREAS, the Director of the Department of
Environmental Control has advised that the pipe is deteriorated
and should be replaced with a larger pipe, and

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ABE209

RESOLUTION NO. (148-1986) Continued

WHEREAS, the Director of Environmental Control has reviewed the amount of the proposal and has indicated that a lump sum of \$5,567 is reasonable

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to engage A. Cestone Co. to perform this drainage work for a sum not to exceed \$5,567 and be it

FURTHER RESOLVED, that the cost for the above be charged to Capital Bond Account #2.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION No. (149-1986)

ACCEPTING ROADS AND RELATED IMPROVEMENTS RE URANUS CONSTRUCTION CORP. AND RED HILL ESTATES

Co. Nowicki offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney, deed(s) from: Uranus Construction Corp. dated June 9, 1983, conveying road(s) and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of Red Hill Estates, dated January 13, 1982, last revised May 23, 1983, filed in the Rockland County Clerk's Office on June 22, 1983, in Bk. 100 at pg. 37 as Map No. 5505 as follows: Hallmark Drive - 1,210 L.F. 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, with security posted by the developer in the amount of \$7,640.00 is hereby accepted, and be it

FURTHER RESOLVED, that the Town Clerk is directed to send copies of this resolution to the Superintendent of Highways and the New York State Department of Transportation.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (150-1986)

MEMORIALIZING LEGISLATURE
AND GOVERNOR RE INSURANCE

Co. Maloney offered the following resolution:

WHEREAS, public corporations in New York have had their liability insurance cancelled, not renewed or have seen premiums rise as much as 400%, and

WHEREAS, this has put said public corporations on a tenuous position regarding protection and has strained municipal budgets to the limit, and

WHEREAS, the cause of this problem is the doctrine of "joint and several liability," the theory of municipal "deep pockets" (unlimited resources), and the severely out of balance loss ratios of insurance companies;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown urges the New York State Legislature and the Governor to promote and seek passage of legislation that will address this severe and potentially disastrous trend, including but not limited to damage judgments, be capped at liability levels and sovereign immunity be reestablished, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown be charged with the responsibility of delivering a certified copy of this resolution to all other Towns in the County of Rockland, as well as all elected New York State Representatives having jurisdiction over Rockland County, including the Governor of the State.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Co. Nowicki.....Yes
- Supervisor Nowicki.....Yes

RESOLUTION NO. (151-1986)

AUTHORIZING LES BOLLMAN TO
ATTEND SOLID WASTE
MANAGEMENT SEMINAR

Co. Maloney offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, Department of Environmental Control of the Town of Clarkstown, is hereby authorized to attend a seminar on Solid Waste Management to be held on Wednesday, February 26, 1986, at the Sheraton Buffalo Airport Hotel in Buffalo, New York, and be it

FURTHER RESOLVED, that all proper charges be charged against appropriation account #A1010-414.

Seconded by Co. Carey

On roll call the vote was as follows:

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

ABE647

RESOLUTION NO. (152-1986)

AUTHORIZING ATTENDANCE AT
ASSOCIATION OF TOWNS
CONVENTION

Co. Maloney offered the following resolution:

RESOLVED, that Supervisor Charles E. Holbrook is hereby designated as delegate to the Association of Towns Convention, and be it

FURTHER RESOLVED, that the following: Supervisor, Director of Finance, Councilmen, Supt. of Highways, Town Attorney, Town Assessor, Receiver of Taxes, Town Clerk & Comptroller or designees of Comptroller are hereby authorized to attend the Association of Towns Convention to be held in New York City on February 16, 17, 18, 19, 1985 and expenses incurred by the aforementioned be made proper Town charges, and be it

FURTHER RESOLVED, that the following: Building Inspector (or designees of Bldg. Dept.), Director of Environmental Control or designees of Environmental Control Dept., Supt. of Parks and Recreation, Town Justices, Deputy Town Attorneys and Paralegal Specialist, Director of Purchasing, Members of Zoning Board of Appeals, Members of Planning Board are hereby authorized to attend the Association of Towns Convention to be held in New York City on Feb. 16, 17, 18, 19, 1985 for trips during their regular work hours, and the daily expenses incurred by the aforementioned during these work hours be made proper Town charges, and be it

FURTHER RESOLVED, that these officials are encouraged to car pool to reduce mileage expenses, and the respective vouchers submitted for this purpose shall not only reflect miles travelled, but also passengers within the vehicle.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. CareyYes
Co. Lettre.....Yes
Co. Maloney.....Yes
Co. Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (153-1986)

AUTHORIZING REQUESTING
COUNTY TO REDUCE SPEED LIMIT
NEAR CLARKSTOWN NORTH HIGH
SCHOOL

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has been asked to implement a 15 mile per hour speed limit on New City/Congers Road in the vicinity of Clarkstown North High School, and

WHEREAS, it has been determined that the Rockland County Superintendent of Highways must join with the Town to implement such restriction;

NOW, THEREFORE, be it

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RESOLUTION NO. (153-1986) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests the Rockland County Superintendent of Highways to consider posting on New City/Congers Road in the vicinity of Clarkstown North High School speed signs posting the speed limit at 15 miles per hour for a school zone, and be it

FURTHER RESOLVED, that the Town Clerk shall send a certified copy of this resolution to the Rockland County Superintendent of Highways.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (154-1986)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #20-1986 - OFFICE
FURNITURE/EQUIPMENT

Co. Maloney offered the following resolution:

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

BID #20-1986
OFFICE FURNITURE/EQUIPMENT

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, March 11, 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. Carey

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Co. Nowicki.....Yes
- Supervisor Nowicki.....Yes

RESOLUTION NO. (155-1986)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #21-1986 - TIRES AND
TUBES

Co. Maloney offered the following resolution:

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

BID #21-1986
TIRES AND TUBES

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ABE209

RESOLUTION NO. (155-1986) Continued

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, March 17, 1986 at which time bid 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. Carey

On roll call the vote was as follows:

- Co. CareyYes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Co. Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (156-1986)	AUTHORIZING TOWN ATTORNEY TO DEFEND PROCEEDING - HELEN M. OLSEN, PETITIONER
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Co. Maloney offered the following resolution:

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

In the Matter of the Application of

HELEN M. OLSEN
Petitioner,

for a judgment pursuant to CPLR Article 78

-against-

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

Respondents,

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:

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

RESOLUTION NO. (157-1986)	AUTHORIZING ATTENDANCE NEW YORK LAND CONFERENCE - JOHN COSTA, JEFF WEINBERGER, LES BOLLMAN, LUKE KALARICKAL, RONALD DeCHRISTOFORO
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RESOLUTION NO. (157-1986) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby authorized to attend a New York Land Institute conference in White Plains, New York, on February 21, 1986, at a cost of \$85.00 per person, plus travel and other necessary expenses, and be it

FURTHER RESOLVED, that the expenses for the above shall be charged to Account No. 1010-414: John A. Costa, Jeff A. Weinberger, Leslie F. Bollman, Luke Kalarickal, Ronald E. DeChristoforo.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (158-1986)

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ROBERT J. FINNEGAN ASSOC., INC. AND THE SUM OF \$69,800.00 BE APPROPRIATED FROM ACCOUNT NO. A-1355-409 TO PAY FOR SERVICES PROVIDED

Co. Maloney offered the following resolution:

WHEREAS, Robert J. Finnegan and Associates, Inc., have been employed by the Town of Clarkstown as a contractor to complete a real property valuation update project according to Article 15-B of the Real Property Tax Law, and

WHEREAS, there is a need for additional services with respect to revaluation of certain tax parcels within the Town of Clarkstown which will require payment of additional fees for said services by Robert J. Finnegan and Associates, Inc., as contractor, in accordance with proposals dated August 9, 1985 and December 3, 1985;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with Robert J. Finnegan and Associates, Inc., in a form approved by the Town Attorney in accordance with said proposal referred to above, and be it

FURTHER RESOLVED, that the sum of \$69,800.00 is hereby appropriated from Account Number A-1355-409 to pay for the services to be provided.

Seconded by Co. Carey

On roll call the vote was as follows:

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

ABE209

RESOLUTION NO. (159-1986)

AUTHORIZING APPLICATION FOR
A 280-a(2), BUILDING PERMIT
TO ANTOINETTE CERESNAK

Co. Lettre offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendation of the Director of Environmental Control and the Superintendent of Highways, a Building Permit for the erection of a one family residence may be issued to Antoinette Ceresnak, as owner, for property situate on the north side of Milsom Drive, New City, New York, more specifically designated on the Clarkstown Tax Map as Map 43, Block B, Lot 13.01, 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 Milsom Drive.

2. That the declarant owner irrevocably agrees to participate in a road improvement district for any frontage of said premises on any mapped street 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 the same to fifty (50') feet in width.

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

5. 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 prior to the issuance of the Building Permit, the applicant shall secure written permission from the Lake Lucille Property Owners Association, Inc., to excavate and to restore Milsom Drive and any other right-of-way which shall be disturbed by construction, and be it

FURTHER RESOLVED, that no Certificate of Occupancy shall be issued until Milsom Drive and any other right-of-way, which shall be disturbed, has been restored to the satisfaction of the Director of Environmental Control and the Superintendent of Highways, and be it

FURTHER RESOLVED, that a Building Permit shall not be issued for the premises to be constructed until all other requirements of law, rules and regulations are complied with to the satisfaction of the Building Inspector.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (160-1986)

AUTHORIZING A 280-a(2)
PERMIT, MAP 139, BLOCK B,
LOT 21.04 IN VALLEY COTTAGE
TO ARNOLD SILVER

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendation of the Director of Environmental Control, the Superintendent of Highways, and the Planning Department, a permit for the erection of a one family residence may be issued to Arnold Silver, as owner, for property situate on the east side of New Jersey Avenue, Valley Cottage, New York, more specifically designated on the Clarkstown Tax Map as Map 139, Block B, Lot 21.04, 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 New Jersey Avenue, and that access to Map 138, Block B, Lot 21 may be by use of the proposed driveway.
2. That the declarant owner irrevocably agrees to participate in a road improvement district for any frontage of said premises on any mapped street 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 the same to fifty (50') feet in width.
4. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenant provided herein.
5. 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 a Building Permit shall not be issued for the premises to be constructed until a detailed grading plan, including sedimentation control, has been submitted and approved by the Director of Environmental Control, and all other requirements of law, rules and regulations are complied with to the satisfaction of the Building Inspector, and be it

FURTHER RESOLVED, that no Certificate of Occupancy shall be issued until:

1. An 8" sanitary sewer line and driveway has been installed as required and approved by the Director of Environmental Control.
2. The existing drainage ditch shall be cleaned and regraded through the property to the south and all work approved by the Director of Environmental Control.
3. All areas disturbed by grading shall be reestablished with permanent vegetative cover or appropriate escrow established.
4. Applicant to contribute monies-in-lieu-of-land.

Seconded by Co. Nowicki

ABE209

RESOLUTION NO. (160-1986) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (161-1986)

AUTHORIZING SUPERVISOR TO
SIGN AGREEMENT WITH A-COM
COMMUNICATIONS TO MAINTAIN
CURRENT TELEPHONE SYSTEM AND
CHARGED TO ACCOUNT NO. A
3020-438

Co. Maloney offered the following resolution:

WHEREAS, a proposal dated January 13, 1986, has been made by A-Com Services, Inc. to provide an interim repair service on the Town of Clarkstown existing telephone system until a new system has been installed, and

WHEREAS, the Town Board of the Town of Clarkstown deems it beneficial to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to sign said agreement in a form satisfactory to the Town Attorney in accordance with the proposal referred to above, and be it

FURTHER RESOLVED, that the expenditures pursuant to this proposal shall be authorized up to the sum of \$5,000 without further resolution of the Town Board, which services are to be provided on an as-need basis, and be it

FURTHER RESOLVED, that the expenditures purpose to this agreement shall be charged to Account No. A 3020-438.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (162-1986)

AWARDING BID #14-1986 TO
NORM REED ASSOCIATES FOR THE
PRINTING OF THE 1986 PARKS &
RECREATION BROCHURE

Co. Maloney offered the following resolution:

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

BID #14-1986

Continued on Next Page

RESOLUTION NO. (162-1986) Continued

Printing of the 1986 Parks & Recreation Brochures is hereby awarded to:

Norm Reed Associates, Inc.
155 Avenue of the Americas
New York, New York 10013

as per the attached low bid proposal.

Seconded by Co. Nowick

On roll call the vote was as follows:

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

RESOLUTION NO. (163-1986)

AUTHORIZING SUPERVISOR TO
ENTER INTO A CHANGE ORDER
WITH PREMIER RESTORATION CO.
RE INSTALLATION OF
ADDITIONAL ROOF DRAINS -
TOWN HALL ROOFING PROJECT
AND CHARGING IT TO ACCOUNT
NO. 1620-408

Co. Maloney offered the following resolution:

WHEREAS, Premier Roofing Company, West Haven, Connecticut, is successful bidder for Clarkstown Town Hall Roof Restoration (Bid 19-1985) and has submitted a proposal dated February 6, 1986, to install additional roof drain to correct a water condition as a proposed change order, and

WHEREAS, the Town Board deems it beneficial to accept said proposal,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to accept said proposal and to enter into a contract Change Order for a sum not to exceed \$2,283.00, and be it

FURTHER RESOLVED, that this expenditure be charged to account number 1620-408.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (164-1986)

AUTHORIZING REPEALING OF
SEC.352 EEE OF THE GENERAL
BUSINESS LAW AND TO ENACT
SECTION 352 E (2A) OF THE
GENERAL BUSINESS LAW AND

Continued on Next Page

ABE209

RESOLUTION NO. (164-1986) Continued

RESCIND RESOLUTION #538
(PROTECTIONS PROVIDED TO
TENANTS IN RENTAL UNITS)

Co. Carey offered the following resolution:

WHEREAS, by resolution dated June 25, 1985, (Resolution #538), the Town Board of the Town of Clarkstown implemented the protections provided to tenants in rental units pursuant to Section 352-eee of the General Business Law, and

WHEREAS, it now appears in the best interest of the community to rescind said resolution and adopt a resolution implementing protections provided by Section 352-e(2a) of the General Business Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby adopts provisions of Section 352-e(2a) of the General Business Law, and be it

FURTHER RESOLVED, resolution #538 is hereby rescinded, and be it

FURTHER RESOLVED, that the Town Clerk shall file a certified copy of said resolution with the appropriate governmental agencies.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (165-1986) ACCEPTING TOWN BOARD MINUTES
OF JANUARY 14, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meeting of January 14, 1986 is hereby accepted as submitted by the Town Clerk.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (166-1986) ACCEPTING RESIGNATION OF
MICHAEL J. MORIARTY - MEMBER
LITTER CONTROL BUREAU

Co. Nowicki offered the following resolution:

RESOLVED, that the resignation of Michael J. Moriarty - Member of the Litter Control Bureau - is hereby accepted - with regret - effective and retroactive to January 24, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

RESOLUTION NO.(166-1986) Continued

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

RESOLUTION NO. (167-1986) CREATING TYPIST POSITION,
TOWN HIGHWAY DEPARTMENT,
FEBRUARY 4, 1986

Co. Nowicki offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 4, 1986 that the position of (temporary) Typist - Highway Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of (temporary) Typist - Highway Department - is hereby created - effective and retroactive to February 4, 1986 - for a period not to exceed 2 months.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (168-1986) RECLASSIFYING TYPIST
POSITION (SWITCHBOARD RELIEF
- MAIL & COPY) EFFECTIVE
FEBRUARY 17, 1986

Co. Nowicki offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 4, 1986 that the position of Typist (Switchboard Relief & Mail & Copy) can be reclassified to the position of Clerk,

Now, therefore, be it

RESOLVED, that the Typist position (Switchboard Relief - Mail & Copy) is hereby reclassified to the position of Clerk (Switchboard Relief - Mail & Copy) effective February 17, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Continued on Next Page

ABE209

RESOLUTION NO. (169-1986)

TRANSFERRING ROSE ROMEO FROM
REAL PROPERTY DATA
COLLECTOR, ASSESSOR'S OFFICE
TO CLERK, MAIL & COPY ROOM

Co. Nowicki offered the following resolution:

RESOLVED, that Rose Romeo, 2 Rone Court, New City, New York is hereby transferred from the position of Real Property Data Collector - Assessor's Office - and reassigned to the position of Clerk - Mail & Copy Room - at the current 1986 annual salary of \$17,329., effective and retroactive to February 17, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (170-1986)

TRANSFERRING TOMASINA SCALA
FROM POSITION OF TYPIST
(SWITCHBOARD RELIEF AND MAIL
AND COPY ROOM TO TYPIST -
BUILDING DEPARTMENT

Co. Nowicki offered the following resolution:

RESOLVED, that Tomasina Scala, 29A Amundsen Lane, New City, New York, is hereby transferred from the position of Typist (Switchboard Relief and Mail & Copy Room) and reassigned to the position of Typist - Building Department - at the current 1986 annual salary of \$13,972., effective February 17, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (171-1986)

CHANGING SALARY FOR THE
SECRETARY (PART-TIME) TO THE
LITTER CONTROL TO \$1,000

Co. Nowicki offered the following resolution:

RESOLVED, that the annual salary for the Secretary (part-time) to the Litter Control Bureau is \$1,000., effective and retroactive to February 10, 1986.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (176-1986) Continued

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. (177-1986)	AMENDING SALARY SCHEDULE FOR VERA MCKEEVER AND DOROTHY MARSHALL
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Co. Nowicki offered the following resolution:

RESOLVED, that the 1986 Salary Schedule is hereby amended to read as follows:

Vera McKeever, Senior Typist -	\$21,548
Dorothy Marshall, Senior Typist -	\$17,329

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (178-1986)	RECLASSIFYING THE POSITION OF CLERK - POLICE DEPARTMENT - TO POSITION OF TYPIST
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Co. Nowicki offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 29, 1985 that the position of Clerk - Police Department - can be reclassified to the position of Typist.

NOW, THEREFORE, be it

RESOLVED, that the position of Typist - Police Department - is hereby established, effective February 13, 1986 at Grade 14.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (179-1986)	APPOINTING MADELINE M WEIGOLD TO THE POSITION OF TYPIST (TEMPORARY) TOWN HIGHWAY DEPARTMENT
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ABE209

RESOLUTION NO. (179-1986) Continued

Co. Maloney offered the following resolution:

RESOLVED, that Madeline M. Weigold, 7 Aspen Lane, New City, New York, is hereby appointed to the position of Typist (temporary) - Town Highway Department - at the hourly rate of \$5.00., effective and retroactive to February 4, 1986 for a period not to exceed 2 months.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (180-1986)

APPOINTING PATRICIA MALONEY
TO THE POSITION OF CLERK
(TEMPORARY) - TOWN HIGHWAY
DEPARTMENT

Co. Nowicki offered the following resolution:

RESOLVED, that Patricia Maloney, 1 Victoria Drive, Nanuet, New York, is hereby appointed to the position of Clerk (temporary) - Town Highway Department - at the hourly rate of \$5.00, effective and retroactive to February 10, 1986, for a period not to exceed 3 months.

Seconded by Supervisor Holbrook

On roll call the vote was as follows:

- Co. CareyYes
- Co. Lettre.....Abstain
- Co. Maloney.....Abstain
- Co. Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (181-1986)

DECREASING CONTINGENCY
ACCOUNT NO. A 1990-505 BY
\$700 AND INCREASING
APPROPRIATION ACCOUNT
NUMBERS A 8730-114 - \$200
(SHADE TREE), A 8095-114 -
\$500 (LITTER CONTROL)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 by \$700 and increase the following Appropriation Account Numbers:

- A 8730-114.....\$200 (Shade Tree)
- A 8095-114.....\$500 (Litter Control)

Seconded by Co. Nowicki

RESOLUTION No. (183-1986) Continued

Law benefits in a manner which shall be deemed legally
permissable.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (184-1986) GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF THE CODE OF
THE TOWN OF CLARKSTOWN TO
KEVIN H. STOCKES EXCAVATING,
INC.

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of
Registration for the calendar year 1986 as a sewer contractor
pursuant to Section 83-65 of the Code of the Town of Clarkstown:

KEVIN H. STOKES EXCAVATING, INC.
KEVIN STOKES, PRES.
BOX 812
PEARL RIVER, NY

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of
Registration be issued:

No. 86-6 issued to KEVIN H. STOKES ESCAVATING, INC.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (185-1986) GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF THE CODE OF
THE TOWN OF CLARKSTOWN TO
PHOENIX EXCAVATORS CORP.

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of
Registration for the calendar year 1986 as a sewer contractor
pursuant to Section 83-65 of the Code of the Town of Clarkstown:

Continued on Next Page

RESOLUTION NO. (185-1986) Continued

PHOENIX EXCAVATORS CORP.
MICHAEL S. MOUACDIE, PRES.
62 ROSE ROAD
WEST NYACK, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued; however, such certificate shall expire on July 1, 1986, unless an extension of Workmen's Compensation and insurance liability is obtained to expire not sooner than December 31, 1986.

No. 86-5 issued to PHOENIX EXCAVATORS CORP.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (186-1986)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SEC. 83-65 OF THE CODE OF
THE TOWN OF CLARKSTOWN TO
PETER J. MAYER

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration for the calendar year 1986 as a sewer contractor pursuant to Section 83-65 of the Code of the Town of Clarkstown:

PETER J. MAYER
27 OLD HEMPSTEAD ROAD
NEW CITY, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued; however, such certificate shall expire on September 1, 1986, unless an extension of Workmen's Compensation and insurance liability is obtained to expire not sooner than December 31, 1986, and unless a renewal bond is provided for the period November 29, 1986 to December 31, 1986.

No. 86-13 issued to PETER J. MAYER.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

ABE209

RESOLUTION NO. (187-1986)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SEC. 83-65 OF THE CODE OF
THE TOWN OF CLARKSTOWN TO J
& R D'ONOFRIO PLUMBING AND
HEATING, INC.

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of
Registration pursuant to Section 83-65 of the Code of the Town of
Clarkstown:

J & R D'ONOFRIO PLUMBING & HEATING, INC.
RONALD D'ONOFRIO, VICE PRES.
35 WEST STREET
SPRING VALLEY, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of
Registration be issued; however, such certificate shall expire on
June 2, 1986, unless an extension of Workmen's Compensation and
insurance liability is obtained to expire not sooner than
December 31, 1986.

No. 86-4 issued to J & R D'ONOFRIO PLUMBING AND HEATING
INC.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (188-1986)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SEC. 83-65 OF THE CODE OF
THE TOWN OF CLARKSTOWN TO
HICKS EXCAVATING CO., INC .

Co. Maloney offered the following resolution:

WHEREAS, the following has applied for a Certificate of
Registration for the calendar year 1986 as a sewer contractor
pursuant to Section 83-65 of the Code of the Town of Clarkstown:

HICKS EXCAVATING CO., INC.
WALTER F. HICKS, PRES.
CHESTER AVENUE
CONGERS, NEW YORK

NOW, THEREFORE, be it

RESOLVED, that the following certificate of
Registration be issued; however, such certificate shall expire on
August 16, 1986, unless an extension of Workmen's Compensation
and insurance liability is obtained to expire not sooner than
December 31, 1986.

No. 86-10 issued to HICKS EXCAVATING CO., INC.

Seconded by Co. Nowicki

RESOLUTION NO. (188-1986) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (189-1986) DESIGNATING AS A HISTORICAL
SITE, HOUSE LOCATED AT 312
STRAWTOWN ROAD, WEST NYACK -
MAP 91, BLOCK A, PORTION OF
LOT 12

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 14th day of January, 1986, provided for a public hearing on the 11th day of February, 1986 at 8:05 P.M., to consider the designation of 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, as an Historical Site pursuant to Chapter 12, Section 3, Subdivision C of the Code 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 duly held at the time and place specified in said notice;

NOW, THEREFORE, be it

RESOLVED, that the aforementioned house located at 312 Strawtown Road, West Nyack, New York, be and the same hereby is designated as an Historical Site, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (190-1986) AMENDING ZONING ORDINACE OF
THE TOWN OF CLARKSTOWN BY
REDISTRICTING FROM LO
DISTRICT TO RS DISTRICT - RE
JOHN DePAULIS

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 10th day of December, 1985, provided for a public hearing on the 11th day of February, 1986, at 8:10 P.M., to consider the application of John DePaulis to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner from LO district to LS district or RS district, and

ABE209

RESOLUTION No. (190-1986) Continued

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 for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from LO district to RS district, the following described property in the Hamlet of Congers, New York, in said Town, and be it

FURTHER RESOLVED, that this zone change is subject to receiving a Declaration and Covenant in a form approved by the Town Attorney, which shall provide that premises as rezoned shall not be used for retail sales except those that will be incidental to the use of the premises to be constructed as a warehouse, and be it

FURTHER RESOLVED, that the Town Board makes a negative determination pursuant to the provisions of S.E.Q.R.A.

(Description on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows

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

There being no one further wishing to be heard and no further business to come before the Town Board, the Town Board Meeting was declared adjourned, time: 9:05 P.M.

Respectfully submitted
Patricia Sheridan

PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/11/86

9:15 P.M.

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

RE: CONSIDERING DESIGNATION OF AN HISTORICAL SITE, MAP 91,
BLOCK A, PORTION OF LOT 12

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 and Town Attorney testified as to proper posting and publication.

Supervisor opened the Public Portion of the Meeting.

Appearance: Eleanor Fitch
Chairman of the Historical Review Board

Ms. Fitch urged the Town Board to accept the site as an historical designation and said it was a piece of the history of Clarkstown and it deserved the protection of the Town Board.

Supervisor Holbrook read the following history of Teaberryport:

"The original section of this home was built in 1774. On early 19th century maps, it was shown as the property of the prominent J. Stephens, son of Robert Stephens (Orange County, New York, Militia, March, 1779 - October, 1779. Robert Stephens fought a band of British soldiers during the American Revolution when they came to loot the Lydecker Farm. In 1904, the property including house, outbuildings and farm became the home of F.W.P. Edmunds and Frances M. Edmunds, who celebrated their golden wedding anniversary there in 1929. Mrs. Edmunds died in 1930. Mr. Edmunds died in 1932. The C. Leonard Cambell Family resided there from 1932-1940. In 1940, the property then known as Edmund Crest, was purchased by Stephen Leeman from Mrs. C. Leonard Campbell nee Ethel Frances Edmunds. Mr. Leeman renamed the property Teaberryport. He remodeled the outbuildings for use in his commercial enterprise and as the headquarters for Ming Teas.

In 1957, the house and barn were sold to the Spring Valley Water Works. The company needed the property because of its proximity to what was to become Lake DeForest. Mr. Leeman sold his tea business to the Heublien Company. Fred Eighme, resident engineer for the water company supervised the remodeling and repair of the house in 1959. It was then rented to Steven Gethers, a free lance TV writer, his wife and two sons. Mr. Gethers scripts were produced by Playhouse 90, the U.S. Steel Hour and many others. The home has been occupied by several tenants up to the present day.

Appearance: Annette Reitz
Congers

She spoke in regard to the history of the old house as it related to her great grandparents and noted that it was a link to the past of the Town of Clarkstown and showed old photos and clippings of the Teaberryport house.

Appearance: Lillian Ciufio
Real Estate Manager for the
Spring Valley Water Co.

She was representing Spring Valley Water Co. and approved of the historical designation of the house.

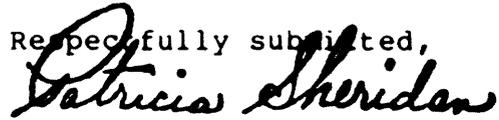
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Supervisor Holbrook commended the Historical Society Board and thanked the Spring Valley Water Company for their cooperation in helping to preserve this landmark.

Their being no one further wishing to be heard, on motion of Councilman Nowicki, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, time: 9:12 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(ADOPTED BY RESOLUTION NO. (189-1986))

TOWN OF CLARKSTOWN
PUBLIC HEARING

6

Town Hall

2/11/86

9:14 P.M.

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

RE: ZONE CHANGE FROM LO TO LS, DePAULIS 129A2.01 CONGERS, NY

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.

The Town Attorney testified as to proper posting and publication. The Town Attorney said that there is correspondence from the Clarkstown Planning Board dated November 19, 1985 regarding the DePaulis Zone change and the recommendation is that the property be rezoned to LS with the restriction that the property only be used for warehouse and service related uses.

The Town Attorney read other correspondence from the Rockland County Planning Board and said that they reviewed the above matter on December 4, 1985 and approved subject to the conditions indicated below and those are as follows: LO zone to CS zone as previous County Board's decision, development subject to a restrictive covenant excluding retail stores, adherence to recommendations and requirements of DOT and SWCD (Soil Water Conservation District), recommend that future proposals be referred to PIP, and that is signed by the chairman of the Rockland County Planning Board, Aaron Fried.

Henry Horowitz, Attorney for the Petitioner gave a description of the property and boundaries and displayed a map and further explained the boundaries. He said it was properly zoned LO which is a most restrictive zone. That zone would be appropriate for a map or office site. What his client is seeking is a warehouse or retail service.

Mr. Horowitz gave the bulk requirements of the property and front yard and side yard and rear yard footage. He further stated that the State is taking 16 1/2 feet on the 9W side. He said that the boundary has more land than is required by LS. There is no difficulty changing the zone because it permits retail shopping but petitioner does not want retail. He wants warehousing. He asked the Board to covenant without allowing retail shopping. He said the petition had been amended to request LS or RS. He said RS does allow warehouse but RS creates another little problem. It has a front yard of 40 feet and we don't have any difficulty with the front yard of 40. It has side yard which has to be increased by 50% joining the residential district. We have residents on three sides. Having to increase the two side yards there is no particular problem. The rear yard in the RS while it is only 50 feet there is a provision in the RS zone that that yard must be increased by 50% when it is abutting a residential district. That means that the rear yard has to be 37 1/2 feet. He asked that they be permitted to obtain the RS with the agreement that there would be no retail stores but to allow us not to have to increase our rear yard by 50%. He showed a sketch of property that allows them to have a structure of 93 feet. We will have to have our loading from the side which is no problem. They are requesting a road around the building and they are requesting a 24 foot roadway.

Co. Lettre asked if that would allow for the front setback to be further back.

Mr. Horowitz said it does not allow the setback to be further back. We are showing a setback of 40 feet which is required by that zone after the giving of 16 1/2 feet to the State.

Co. Nowicki asked if this is going in the middle of a residential area?

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Mr. Horowitz said it is going in the middle of an area that has a designation of R-80 and is owned by the Palisades Parks.

Town Attorney stated that in the Affidavit of Service of Notice we have sent notice of this proposed change to the P.I.P. and I haven't received anything back from them but we did send it to them on January 21, 1986.

Co. Nowicki said she liked Mr. Horowitz's rendering. You show green and all that but now you're telling us that you are going to encroach on that green area with a thin road around the back.

Mr. Horowitz said they are asking for a 50 foot rear yard and be able to have a road and 26 feet of green.

Co. Nowicki inquired about the building itself. What is it going to look like?

Mr. Horowitz said he does not know at this time but he is sure it will be a masonry type building. This one will be about 20,000 square feet. The big difficulty is that our building is confined to 50 some odd feet and about 200 feet long and that is going to lead to a peculiar setup. What I think the Board has to consider here is the granting of change to RS with the covenant that this not be used as a shopping center and with the further agreements that the rear yards need not be increased by 50%.

The Town Attorney said that he had a question regarding Mr. Horowitz's last request. The bulk table does require the rear yard be increased by 50% and the zone change was advertised in the alternative for the two zones but your request is asking in effect that for this parcel that the zoning ordinance be changed so as to allow for a 50 foot instead of a 75 foot rear yard which of course was not advertised nor part of this Public Hearing. Would your client be willing to take his chances if the zone change were approved and go to the ZBA to seek relief from the 75 foot rear yard requirement?

Mr. Horowitz said before we get to that let's swing back to the other way and that's to grant a zone change to LS provided that our front yard be at least 40 feet. That the rear yard which is to be 25 be at least 50 feet and that we file a covenant not permitting any shopping centers and that we be permitted to put in a warehouse.

The Town Attorney asked if Mr. Horowitz indicated that warehouse was not among the approved uses under LS.

Mr. Horowitz said we are looking to you to resolve that for us.

The Town Attorney said that the problem as I see it is that a covenant could be put on record which would limit the use of the property and make it more restrictive in the uses permitted in the ordinance. Mr. Horowitz is asking that you accept the covenant which expands the use with the one item, namely, the rear yard. It changes the bulk regulation which I don't believe we have the legal prerogative to do. I have no problem with the concept of the quid pro quo so long as the Public Notice is sufficient and I don't think it would be sufficient as proposed by Mr. Horowitz.

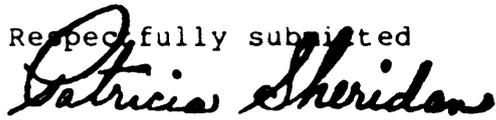
Mr. Horowitz said let's pass it this way. I just don't want to have to go through the Board of Appeals. The covenants and the restrictions can be done now.

Supervisor asked if there was anyone that wanted to speak for or against.

Mr. Lodico said that whether it is Mr. DePaulis or other persons wanting to develop this strip it is appropriate for commercial. Although the State Parks are R-80 sections, we the taxpayers of Clarkstown are interested in getting ratables. Mr. Lodico approved of developing this strip for commercial and approved of Mr. DePaulis as a good business man and neighbor.

There being no one further wishing to be heard, on motion of Co. Lettre, seconded by Co. Maloney and unanimously adopted, the Public Hearing was declared closed and RESOLUTION ADOPTED, time: 9:40 P.M.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

(ADOPTED BY RESOLUTION NO. 180-1986)

ABE209