

Town of Clarkstown
Town Board Meeting

Town Hall

6/24/86

8:00 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre (arrived at 8:06), Maloney,
Nowicki
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor called Town Board Meeting to order.
Assemblage saluted the Flag.

The Supervisor read the following Proclamation:

"LIFE. BE IN IT."
RECREATION AND PARKS MONTH
JULY - 1986

WHEREAS, the Town of Clarkstown has numerous programs
and facilities of which its residents may take advantage; and

WHEREAS, suitable and positive leisure experiences are
vital to good physical and mental health and enhance the quality of
life for all people; and

WHEREAS, all citizens can enjoy self renewal in the
out-of-doors through green spaces and facilities in parks; and

WHEREAS, all citizens can fulfill their potential in the
use of their leisure time through the varied individual and group
opportunities provided by recreation; and

WHEREAS, the town of Clarkstown recognizes the efforts
of both professional and volunteer recreation and park workers who
have enhanced the services available to Clarkstown residents;

NOW, THEREFORE, be it RESOLVED, that I, Charles E.
Holbrook, Supervisor of the Town of Clarkstown, on this 24th day of
June, 1986, do hereby proclaim the month of July, nineteen hundred
and eighty-six as "LIFE. BE IN IT. - RECREATION AND PARKS MONTH" in
the Town of Clarkstown and urge all our residents to join with us
in participating in the special events scheduled for July.

IN WITNESS WHEREOF I HERETO SET
MY HAND AND CAUSE THE SEAL OF THE
TOWN OF CLARKSTOWN TO BE AFFIXED
THIS 24TH DAY OF JUNE, 1986.

CHARLES E. HOLBROOK, Supervisor

WILLIAM CAREY, Councilman

EDWARD LETTRE, Councilman

JOHN MALONEY, Councilman

CATHERINE NOWICKI, Councilman

Supervisor Holbrook announced that the fireworks display
and bands at the Nanuet Senior High School would take place on July
3, 1986.

Supervisor opened the Public Portion of the meeting.

Appearance: John Kane
South Harrison Ave.
Congers

AAJ338

He spoke regarding the appointment of the Assessor and that Councilman Nowicki should abstain on the vote.

Appearance: Zippora Fleisher
Buena Vista Road
New City

She spoke regarding the appointment of the Assessor and that Councilman Lettre should abstain on the vote.

(Councilman Lettre arrived at the meeting at this point).

Co. Lettre stated that the only real estate that he owned was his home and that he has no other interest and that his brother is a developer and he is an employee.

Appearance: Joseph Pantano
New City

He spoke regarding the appointment of the Assessor and stated that he felt that it would be a conflict to consider Martin Bernstein because of his real estate business.

Appearance: Jack Horan
Pine View
Bardonia

He spoke regarding the appointment of the Assessor and also in opposition to Mr. Longo.

Appearance: George Zuckerman
Normandy Village
Nanuet

He spoke regarding the Rockland Rent Guidelines Board and asked the Board to reconsider their decision. He asked Supervisor Holbrook how many other landlords had come forward to sign the agreement.

Supervisor Holbrook said he had spoken to two other landlords who have expressed interest in addition to the seven initial complexes.

Appearance: Vincent Reeder
Scarlet Drive
New City

He spoke regarding the appointment of the Assessor and said that the County Personnel had deemed him qualified and was in favor of Nicholas Longo

Appearance: Jack Cuff
West Nyack

He spoke regarding the appointment of the Assessor and suggested that the appointment be provisional.

Appearance: Stewart Abramson
19 Spring Brook Road
Spring Valley

He spoke regarding the lack of response and the traffic, drainage, and violation of Housing Code in that area.

Supervisor said that he had been in touch with Mr. Komar and that he said that action is being taken and the Town is committed to clean up the area.

Continued on Next Page

Appearance: Mr. Komar
Forest Road and Spring Brook Civic Association

He spoke regarding the striping of the road. Superintendent of Highways, John O'Sullivan said it would be done and Supervisor Holbrook said he was sure it would be done by Thursday.

Appearance: Noel J. Blackman

He spoke regarding the Rockland Airport and the 98% funding available from the Federal Government.

Appearance: Steve Goldman
West Nyack

He spoke regarding the appointment of the Assessor and was opposed to the appointment.

Appearance: Joseph Holfan
11 Inwood Lane
Ramapo Town Chairman

He spoke regarding the Rent Guidelines Board and the appointment of the Assessor and all appointments in Ramapo being Democrats.

Appearance: Martin Bernstein
New City

He spoke regarding traffic circulation in New City and said that the Board should survey all merchants in New City before considering changing the traffic lines.

Supervisor Holbrook said that Mr. Lampert, traffic consultant, recommended no change in the southerly end of Main Street; the north end to be decided. The Town Board has no intention of returning Main Street as it used to be. We are looking to further enhance it.

RESOLUTION NO. (602-1986) AUTHORIZING SUPT. OF HIGHWAYS RE: IMPLEMENTATION OF TRAFFIC SIGNS ON BLAUVELT ROAD, NANUET

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Howard Lampert, Traffic & Highway Engineering Consultant, the Supt. of Highways is hereby authorized to install traffic signs, (as listed on attached page) on Blauvelt Road, Nanuet, N.Y.

FURTHER RESOLVED, that the Superintendent of Highways John O'Sullivan, is hereby directed to expedite implementation.

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. 603-1986

AUTHORIZING SUPT. OF
HIGHWAYS RE: IMPLEMENTATION
OF TRAFFIC SIGN ON COSMOS
LANE AND SNOW DROP DRIVE,
NEW CITY

Co. Maloney offered the following resolution:

RESOLVED the Superintendent of Highways is hereby
authorized to install on Cosmos Lane and Snow Drop Drive, New City
the following traffic signs:

1. "Stop" sign
2. R2-6C "Town Speed Limit 30" sign
3. "No Through Traffic" sign

FURTHER RESOLVED, that the Superintendent of Highways, John
O'Sullivan is hereby directed to expedite implementations.

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

REOLUTION NO. (604-1986)

AUTHORIZING SUPT. OF
HIGHWAYS RE: IMPLEMENTATION
OF "SPEED LIMIT 30" SIGN
AND "CHILDREN AT PLAY" ON
EMERALD DRIVE & SASSON
TERRACE. VALLEY COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Traffic & Highway Engineering Consultant, that present R2-1C "Speed
limit 30" sign on Emerald Drive, Valley Cottage be replaced with an
R2-6C" Town Speed Limit 30" sign.

FURTHER RESOLVED, "Children at Play" signs be installed
on Emerald Drive S/O Route 303 and Sasson Terrace N/O Gilchrest
Drive. Signs should be placed at least 100 feet from other traffic
signs.

FURTHER RESOLVED, that a weight limit of 3 tons except
for local delivery shall be implemented and properly signed (as per
attached drawing).

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. Nowicki

On roll call the vote was as follows:

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

TBM - 6/24/86
Page 5

RESOLUTION NO. (605-1986)

AUTHORIZING SUPT. OF
HIGHWAYS RE: IMPLEMENTATION
OF TRAFFIC SIGNS ON THIRD
STREET, NEW CITY

Co. Maloney offered the following resolution:

RESOLVED the Superintendent of Highways is hereby
authorized to install along the hill on Third Street, New City, the
following traffic signs:

Two (2) R2-6C "Town Speed Limit 30" signs

FURTHER RESOLVED, the Superintendent of Highways, John
O'Sullivan is hereby directed to expedite implementation.

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 HolbrookYes

RESOLUTION NO. (606-1986)

AUTHORIZING. SUPT. OF
HIGHWAYS RE: IMPLEMENTATION
OF TRAFFIC SIGN - FOREST
BROOK DRIVE, SPRING VALLEY

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Highways, John O'Sullivan, and as per Local Law
No. 1-1973, Chapter 18, Section 18-3, Paragraph E, the Highway
Department is hereby authorized to install:

"No Parking Anytime" sign (1) at the end of the
landscaped isle of Forest Brook Drive, Spring Valley
(sign to face Pascack Road, Spring Valley).

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 ON. (607-1986)

AUTHORIZING. TOWN ATTORNEY
TO INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION ON
PREMISES KNOWN AS MAP 120,
BLOCK A, LOT 21 PURSUANT TO
CHAPTER 79 OF THE TOWN
CODE. (FERDINAND PROPERTY)
PUBLIC HEARING TO BE HELD
AUGUST 12, 1986

Co. Maloney offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of
Clarkstown provides that the Town Board may, by resolution,

Continued on Next Page

ABE209

RESOLUTION NO. (607-1986) Continued

authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or delegates to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK A, LOT 21, located at 5 First Street, Central Nyack, New York, reputedly owned by MICHAEL FERDINAND, has been the subject of a Violation Notice issued against the property owner(s) for lack of property maintenance of the property in that the premises has approximately nine (9) unregistered/untagged vehicles and vehicle parts scattered over the property, a pully apparatus and other litter and debris, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises, pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 120, BLOCK A, LOT 21, reputedly owned by MICHAEL FERDINAND, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order and Notice upon the property owner(s) directing that the said nuisance, hazard and litter be removed within 20 days from the receipt of said Notice and order, and be it

FURTHER RESOLVED, that said Notice and order shall advise the property owner(s) that upon failure to remove and otherwise correct the nuisance existing on said property, that the Town Board may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owner(s) in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 12th day of August, 1986, at 8:20 P.M., at which time the then existing condition of the property shall be determined and an appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s), as disclosed in the Rockland County Clerk's Office, by personal service, if possible, and by certified mail, return receipt, on or before July 15, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (607-1986) Continued

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

RESOLUTION NO. (608-1986)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
- JOHN, ANN MARIE AND PETER
SAUTNER AGAINST ZONING
BOARD OF APPEALS

Co. Carey offered the following resolution:

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

JOHN SAUTNER, ANN MARIE SAUTNER, AND PETER SAUTNER,

Petitioners

- against -

DAVID KRAUSHAAR, ELIZABETH J. SQUILLACE, WILLIAM
NIEHAUS, PENNY LEONARD, JOHN FELLA, JOSPEH MARAIA, AND
CATHERINE MC DOUGALL, constituting the Chairman and
Members of the Zoning Board of Appeals of the Town of
Clarkstown, Rockland County, State of New York,

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. 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. 609-1986

REFERRING 280-a(4) PETITION
Of RICHARD STEINBERG

Co. Maloney offered the following resolution

WHEREAS, a petition dated May 14, 1986, has been made by
RICHARD STEINBERG requesting that the Town Board of the Town of
Clarkstown establish an open development area pursuant to Town Law
Section 280-a(4) for property described on the Clarkstown Tax Map as
Map 107, Block A, Lots 1.01 and 1.03;

NOW, THEREFORE, be it

RESOLVED, that the subject petition be referred to the
Clarkstown Planning Board for recommendation; and be it

Continued on Next Page

AAJ338

RESOLUTION NO. (609-1986) Continued

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

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. (610-1986)

SETTING PUBLIC HEARING WITH
RESPECT TO ALLEGED
VIOLATIONS OF CHAPTER 63 OF
THE TOWN CODE OF THE TOWN
OF CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that Donato Marangi, Inc., PO Box 17, Nanuet, New York, a garbage carter authorized to use the Clarkstown Sanitary Landfill has violated certain provisions of Chapter 63 of the Town Code of the Town of Clarkstown entitled "Landfills," which are required to be observed by carters who dump in the Clarkstown Sanitary Landfill, in that garbage debris from outside the Town of Clarkstown was dumped therein without the permission of the Town Board:

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to prepare Charges and Specifications and serve notice thereof upon DONATO MARANGI, INC., for a hearing to be held before the Town Board of the Town of Clarkstown on August 13, 1986 at 8:00 P.M. in Room 311 at Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York.

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. (611-1986)

DECREASING APPROPRIATION
ACCOUNT NO. A 1420-225 by
\$25.00, AND INCREASE
APPROPRIATION ACCOUNT NO.
1420-328 by \$25.00

Co. Maloney offered the following resolution:

RESOLVED, to decrease appropriation Account No. A 1420-225 by \$25.00, and increase appropriation Account No A 1420-328 by \$25.00.

Seconded by Co. Nowicki

RESOLUTION NO. (611-1986) 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. (612-1986)

DECREASING APPROPRIATION
ACCOUNT NO. A 1110-409
(JUSTICE COURT-FEES FOR
SERVICES) AND INCREASE
APPROPRIATION ACCOUNT NO. A
1110-114 (PART-TIME
SALARIES) BY \$515.00.

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
1110-409 (Justice Court-Fees for Services) and increase
Appropriation Account No. A 1110-114 (Part-time Salaries) by \$515.00.

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. (613-1986)

DECREASING APPROPRIATION
ACCOUNT A 1410-201
(FURNITURE AND FURNISHINGS)
BY \$200.00 AND INCREASE
APPROPRIATION ACCOUNT A
1410-328 (BOOKS &
PUBLICATIONS) BY \$200.00

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1410-201
(Furniture and Furnishings) by \$200.00 and increase Appropriation
Account A 1410-328 (Books & Publications) by \$200.00.

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. (614-1986)

DECREASING APPROPRIATION
ACCOUNT A 4210-199 (SALARY
SAVINGS-VACATION BUYBACK)

ABE209

RESOLUTION NO. (614-1986) Continued

BY \$157.00 AND INCREASE
APPROPRIATION ACCOUNT A
4210-306 (MAINTENANCE
SUPPLIES) BY \$109.00 AND A
4210--409 (FEES FOR
SERVICES) BY \$48.00

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 4210-199
(SALARY SAVINGS-VACATION BUYBACK) BY \$157.00 AND INCREASE
APPROPRIATION ACCOUNT A 4210-306 (MAINTENANCE SUPPLIES) BY \$109.00
and A 4210-409 (FEES FOR SERVICES) BY \$48.00.

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. (615-1986)

TRANSFERRING FUNDS FROM
PARKLANDS AND IMPROVEMENTS
TO THE
MONEY-IN-LIEU-OF-LAND
ACCOUNT - \$27,399.12

Co. Maloney offered the following resolution:

WHEREAS, THE FOLLOWING PARKLANDS AND IMPROVEMENTS
PROJECTS HAVE BEEN COMPLETED:

<u>PROJECT</u>	<u>ACCOUNT NO.</u>	<u>AMOUNT</u>
KINGS PARK	H 7110-02-02-409	\$4,556.00
TENNYSON PARK	H 7110-20-07-409	472.15
KINGS PARK	H 7110-02-09-409	422.00
TWINS PONDS	H 7110-02-10-409	602.00
GERMONDS ENGINEERING CONGERS LAKE MEMORIAL PARK	H 7110-02-11-409	7,750.00
" " "	H 7110-02-13-409	1,625.00
" " "	H 7110-02-16-409	8,298.50
LAKE NANUET	H 7110-02-17-409	18.93
CONGERS LAKE RECREATION AREA	H 7110-02-19-409	2,600.00
PURCHASE PRATICCI PROPERTY	H 7110-02-25-409	1,054.54

NOW, THEREFORE, be it

RESOLVED, to transfer \$27,399.12 from Parklands and
Improvements to the Money-In-Lieu-of-Land Account.

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. (616-1986)

AUTHORIZING THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN TO APPLY TOWN LAW 281 - WEST SLOPE SUBDIVISION, VALLEY COTTAGE

Co. Maloney offered the following resolution:

WHEREAS, Jack D. Boswell and Associates, engineers, land planners and surveyors, agent for the owner of premises shown on a proposed subdivision map known as "West Slope" for property located in the vicinity of Route 9W, Valley Cottage, New York, has made application for the use of Town Law Section 281 in connection with said subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended the approval of the use of Town Law Section 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 authorization is granted for the development of the property shown on such proposed subdivision map entitled, "West Slope" dated March 4, 1986, Project No. 8614, prepared by Jack D. Boswell and Associates, subject to the following conditions:

1. The property owner or developer shall provide drainage improvements both off-site and on-site as recommended by the Director of the Department of Environmental Control, and should the developer be unable or unwilling to comply with such requirements, then this authorization shall be void.

2. Brittany Court as shown on said proposed plat shall be built to Town specifications and irrevocably offered for dedication to the Town of Clarkstown.

3. Add map note indicating subdivision has been approved in accordance with Town Law Section 281.

4. Developer to comply with all other rules, regulations, and requirements of law:

NOW ,THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision, subject to the conditions stated above, all other subdivision requirements, and requirements of law.

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. (617-1986)

AUTHORIZING THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN TO APPLY TOWN LAW SECTION 281 (TWIN POND PARK SUBDIVISION, VALLEY COTTAGE)

Co. Maloney offered the following resolution:

Continued on Next Page

ABE209

RESOLUTION NO. (617-1986) Continued

WHEREAS, Theodore F. Atzl, surveyors and planners, agent for the owner of premises shown on a proposed subdivision map known as "Twin Pond Park" for property located in the vicinity of Virginia Street, Pennsylvania Avenue and Ridge Road, Valley Cottage, New York, has made application for the use of Town Law Section 281 in connection with said subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended the approval of the use of Town Law Section 281 in connection with this subdivision because the average density plan provides for proposed connections from Pennsylvania Avenue to Virginia Street and Ridge Road and a conservation easement to protect environmentally sensitive lands adjacent to Twin Pond Park Subdivision Park Land, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 authorization is granted for the development of the property shown on such proposed subdivision map entitled, "TWIN POND PARK" dated May 1, 1985, and last revised on April 11, 1986, prepared by Atzl and Scatassa Associates, subject to the following conditions:

1. Completion of roads as shown on said proposed density plan in accordance with Town specifications subject to irrevocable offer of dedication to the Town of Clarkstown.

2. Add the map note that subdivision is approved in accordance with Town Law Section 281.

3. Provide the Town of Clarkstown with a conservation easement for the area shown on the map in a form acceptable to the Town Attorney.

4. Developer to comply with all other rules, regulations, and requirements of law;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision, subject to the conditions stated above, all other subdivision requirements, and requirements of law.

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. (618-1986)

AUTHORIZING CHANGE ORDER (R & S ROOFING AND SHEET METAL) CLARKSTOWN HIGHWAY BARN ROOF

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution No. 60-1986, dated January 14, 1986, awarded Bid No. 67-1985 to R & S Roofing & Sheet Metal Co., Inc., in the amount of \$177,284.00, for reroofing of the Clarkstown Highway Department Barn, and

Continued on Next Page

RESOLUTION NO. (618-1986) Continued

WHEREAS, Degenshein Denker, Architects and Planners, have determined that additional work is needed and have recommended acceptance of a proposal to do same at a cost not to exceed \$2,110.00;

NOW, THEREFORE, be it

RESOLVED, that the Department of Purchasing is hereby authorized to approve a Change Order in the contract to obtain the additional installation, and the amount of \$2,110.00 is hereby appropriated from Capital No. 2 Account H-9710-05-409.

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. (619-1986)

AUTHORIZING CHANGE ORDER (R & R CONSTRUCTION) FORMER KNAPP BUILDING

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution 340-1986, dated April 8, 1986, awarded Bid No. 13A-1986 to R & R Construction Company, in the amount of \$175,000.00, for renovation of the Town owned "Knapp Building," and

WHEREAS, Degenshein Denker, Architects and Planners, have recommended the installation of aluminum replacement windows in lieu of refurbishing the existing wood windows, and the acceptance of a proposal at a cost not to exceed \$2,600.00;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized to accept a Change Order in the bid award contract to obtain the additional installation, and the amount of \$2,600.00 is hereby appropriated from Account No. A-4210-408.

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. (620-1986)

AWARDING BID #36-1986. TWO (2) REFUSE COMPACTORS FOR CLARKSTOWN HIGHWAY DEPARTMENT TO TURNPIKE FORD TRUCK SALES, INC.

Co. Maloney offered the following resolution:

Continued on Next Page

ABE209

RESOLUTION NO. (620-1986) Continued

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

BID #36-1986
TWO (2) REFUSE COMPACTORS FOR CLARKSTOWN
HIGHWAY DEPARTMENT

is hereby awarded to

TURNPIKE FORD TRUCK SALES, INC.
330 COUNTY ROAD
SECAUCUS, NJ 07094

as per their lowest responsible proposal meeting specifications of \$85,453.00 each for 1987 FORD LTS 9000 chassis with Leach 2RII compactor body, and be it

FURTHER RESOLVED, that funds for same be charged to CAPITAL ACCOUNT-FEDERAL REVENUE SHARING.

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. 621-1986

AWARDING BID #47-1986 SALE OF SURPLUS/ABANDONED VEHICLES TO LIBERTY MOTORS, INC., PASQUALE CICI, AMPEX AUTO WRECKERS, INC., BROOKFIELD AUTO WRECKERS, TEPLITZ AUTO PARTS INC.

Co. Maloney offered the following resolution:

BID #47-1986
SALES OF SURPLUS/ABANDONED VEHICLES

is hereby awarded to

LIBERTY MOTORS, INC.
1705 BOULEVARD
JERSEY CITY, NJ 07305

PASQUALE CICI
15 BESEW PKWY
MONSEY N.Y. 10952

AMPEX AUTO WRECKERS, INC.
8 HOYT STREET
SPRING VALLEY, N.Y. 10977

BROOKFIELD AUTO WRECKERS
275 LAMONT STREET
ELMSFORD, N.Y. 10523

Continued on Next Page

RESOLUTION NO. (621-1986) Continued

TEPLITZ AUTO PARTS INC.
102 ROUTE 59A
P.O. BOX 280
NANUET, N.Y. 10954

as per the attached item/price schedule

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. (622-1986)

AUTHORIZING THE PURCHASE OF
COMPUTER EQUIPMENT - AND
CHARGING TO APPROPRIATION
ACCOUNT A 1680-225 -
\$70,000.00

Co. Carey offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown had previously retained the firm of Rockland Computer Products for the purpose of conducting a study and making recommendations for the acquisition of computer systems and application software packages, and

WHEREAS, the consultants have prepared a report recommending the purchase of IBM-AT systems and software applications, and

WHEREAS, the Town Board of the Town of Clarkstown has the consultant's report and find that the implementation of certain recommendations contained therein to be in the best interest of the Town,

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the purchase of 10 IBM-AT's, plus software applications and other peripherals, to be purchased under State contract for the following departments: Police (3), Personnel (1), Planning (1), Environmental Control (1), Comptroller (1), Highway (2) Building (1), and be it

FURTHER RESOLVED, that all proper charges estimated not to exceed \$70,000.00 be charged to Appropriation Account A 1680-225 (Computer Equipment).

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. (623-1986)

AUTHORIZING SERVICES OF
ROCKLAND COMPUTER PRODUCTS
CONSULTANTS

Continued on Next Page

ABE209

RESOLUTION NO. (623-1986) Continued

Co Carey offered the following resolution:

WHEREAS, pursuant to Resolution 622-1986, the Town Board has purchased 10 IBM-AT computers, the Town Board wants to retain the services of Rockland Computer Products as professional consultants for the purpose of training personnel, setting up the computer systems and intergrating the hardware and software.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into a contract in a form approved by the Town Attorney with Rockland Computer Products, as computer consultants, for the period commencing June 25, 1986 through December 31, 1986 on a per diem basis, when necessary, at a total cost not to exceed \$20,000.00, and all appropriate costs to be charged to account #1680-409.

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. (624-1986)

AUTHORIZING THE TRANSFER OF
IBM SYSTEM 36 TO JUSTICE
COURT

Co. Carey offered the following resolution:

WHEREAS by Resolution #622-1986, the Highway Department of the Town of Clarkstown will acquire two IBM-AT's and,

WHEREAS, the Highway Department currently retains an IBM System 36 which provides a capacity in excess of the needs of the Highway Department,

NOW, THEREFORE be it

RESOLVED, that the IBM System 36 be transferred to the Justice Court of the Town of Clarkstown.

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. (625-1986)

AUTHORIZING ALLOCATION OF
ADDITIONAL PETTY CASH FOR
GERMONDS PARK

Co. Maloney offered the following resolution:

RESOLVED, that petty cash allocated in Town Board Resolution No. 7 dated Jan. 2, 1986 and Town Board Resolution No. 468 dated May 13, 1986 for Recreation (5/30/86-9/30/86) is hereby increased by \$100.00.

RESOLUTION NO. (625-1986) Continued

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. (626-1986)

SETTING DATE FOR PUBLIC
HEARING TO CONSIDER
DESIGNATION OF HISTORICAL
SITE - NO. 16 PHILLIPS HILL
ROAD, NEW CITY

Co. Carey offered the following resolution:

WHEREAS, it has been proposed that the house located at 16 Phillips Hill Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 60, Block A, Lot 7, be designated as a 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 12th day of August, 1986 at 8:05 P.M., to consider the designation of the aforesaid property as a Historical Site, and be i

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:

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

RESOLUTION NO. (627-1986)

AUTHORIZING ADDITIONAL
FUNDS FOR ENGINEERING WORK
RE: GERMONDS PARK - CHARGE
TO CAPITAL #2 BUDGET
ACCOUNT #H 9710-09-409 -
\$6,500.

Co. Nowicki offered the following resolution:

RESOLUTION NO. (627-1986) Continued

WHEREAS, Town Board Resolution No. 1092 dated December 31, 1985 authorized the Supervisor of the Town of Clarkstown to enter into an agreement with Henry Horowitz, Inc., Land Planning Consultants, 55 Virginia Avenue, West Nyack, New York, in accordance with a written proposal dated November 12, 1985, to review and update the existing Master Plan for Germonds Park, and

Continued on Next Page

ABE209

RESOLUTION NO. (627-1986) Continued

WHEREAS, additional engineering work is necessary to cover expansion of the scope of this project,

NOW, THEREFORE be it

RESOLVED, that the Comptroller is hereby authorized to charge \$6,500.00 for the above engineering work against Capital #2 Budget Account #H 9710-09-409.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (628-1986)

AUTHORIZING SUPERVISOR TO ENTER INTO CONTRACT WITH CANDLE, INC. FOR ECONOMIC ASSISTANCE FOR A TOWN-WIDE PROJECT - APPROPRIATING - \$8,250.00 FROM ACCOUNT NO. A8840-424

Co. Maloney offered the following resolution:

WHEREAS, CANDLE, INC., a non profit organization committed to assisting youth in maintaining a drug free environment has by proposal dated June 20, 1986, requested funding in the amount of \$8,250.00 from the Town of Clarkstown as matching funds, which together with a grant from the N.Y.S. Division of Substance Abuse Services and the N.Y. S. Division for Youth grant and other sources will enable Candle, Inc. to provide substance abuse programs for all youth residing within the Town of Clarkstown, parents and teachers during the 1986/1987 school year, and

WHEREAS, said proposal details that the services to be provided will encompass a minimum of 100 elementary school programs, the distribution of a news letter, coordination of the Clarkstown Varsity Athletes Against Substance Abuse program, three town wide information programs, and other services which are deemed essential to guarding and protecting our youth from the dangers of drugs and other substance abuse;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$8,250.00 is hereby appropriated from Account No. A 8840-424 as a 25 percent matching contribution for the 1986/1987 program, subject however to the organization entering into an agreement in a form acceptable to the Town Attorney for the services described in the proposal referred to herein.

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. (629-1986)

AUTHORIZING TOWN ATTORNEY
TO DEFEND A PROCEEDING
AGAINST THE TOWN OF
CLARKSTOWN (SHIRLEY
LANGBAUM)

Co. Nowicki offered the following resolution:

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

SHIRLEY LANGBAUM,

Petitioners,

-against-

DAVID KRAUSHAAR, ELIZABETH J. SQUILLACE, WILLIAM
NIEHAUS, PENNY LEONARD, JOHN FELLA, JOSEPH MARAIA, and
CATHERINE MC DOUGALL, constituting the Chairman and
Members of the Zoning Board of Appeals of the Town of
Clarkstown, Rockland County, State of New York,

Respondents,

For an Order pursuant to Article 78, CPLR, reviewing and
annulling a determination of the Zoning Board of the
Town of Clarkstown which denied Petitioner's application
for a certain area variance.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTON NO. (630-1986)

AUTHORIZING DIRECTOR OF
D.E.C. TO OBTAIN SERVICES
OF SURVEY FOR PROPOSED ROAD
IMPROVEMENT PROJECT AND
EXPENDITURES SHALL NOT
EXCEED \$3,500. WITHOUT
FURTHER AUTHORIZATION FROM
THE TOWN BOARD AND THAT THE
APPROPRIATION PURSUANT TO
THIS RESOLUTION SHALL BE
FROM ACCOUNT NO. A 8730-409

Co Nowicki offered the following resolution:

WHEREAS, a petition dated May 27, 1986, pursuant to
Section 200 of the Town Law has been received requesting the Town
Board of the Town of Clarkstown authorize and approve a road
improvement project for an unimproved and undedicated portion of
South Harrison Avenue, Congers, which abuts a Town maintained
portion of said road, and

Continued on Next Page

ABE209

RESOLUTION NO. (630-1986) Continued

WHEREAS, the Town Board wishes to consider such project pursuant to the requirements of Section 200 of the Town Law;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to obtain the services of a licensed surveyor to survey and design a road improvement project for that portion of South Harrison Avenue, Congers, which begins at or about the parcel commonly known as 193 South Harrison Avenue and continuing north to include that parcel commonly known as 215 South Harrison Avenue for a road frontage of approximately 900 ft.; and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall not exceed the sum of \$3,500 without further authorization from the Town Board, and be it

FURTHER RESOLVED, that the appropriation pursuant to this resolution shall be from Account No. A 8730-409 and shall be reimbursed from the Bond Anticipation Note sold in the event the road improvement project is established, provided, however, the expenditure pursuant to this resolution shall be deemed a proper Town charge in the event that such project is not authorized.

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. (631-1986)

REQUESTING CERTIFICATE OF NECESSITY FROM N.Y. STATE DEPT. OF TRANSPORTATION

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown has received a petition dated May 27, 1986, for the improvement of a portion of South Harrison Avenue, and

WHEREAS, the portion of South Harrison Avenue, Congers, referred to in said petition is less than three (3) rods in width, having been laid out many years ago, and

WHEREAS, the Superintendent of Highways of the Town of Clarkstown has consented that said South Harrison Avenue in Congers be laid out as a highway less than three (3) rods in width, and

WHEREAS, pursuant to Section 200 of the Town Law, it is necessary for the Town Board to obtain a Certificate of Necessity from the New York State Department of Transportation authorizing a highway of less than three (3) rods in width;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby waives the requirement that said road shall be three (3) rods in width, and be it

Continued on Next Page

RESOLUTION NO. (631-1986) Continued

FURTHER RESOLVED, that upon the consent of the Superintendent of Highways of the Town of Clarkstown, the Town Board hereby requests that the Department of Transportation of the State of New York provide a Certificate of Necessity for that portion of South Harrison Avenue, described in the petition referred to above be laid out as a highway less than three (3) rods, and be it

FURTHER RESOLVED, that said Certificate of Necessity be provided as soon as practicable.

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. (632-1986)

AUTHORIZING SALE OF TOWN
SURPLUS PROPERTY FORMERLY
SEWER TREATMENT PLANT NO.
8, CEDAR ROAD, NANUET

Co. Carey offered the following resolution:

WHEREAS, by deed dated October 18, 1961, the Town of Clarkstown acquired title to certain premises from Greenridge Estates, which premises are described on the Clarkstown Tax Map as Map 16-1, Block A, Lot 26.61, and

WHEREAS, the premises so acquired was the site of a sewer treatment plant which for a time served residences in the vicinity of Victoria Drive, Nanuet, and

WHEREAS, the sewer treatment plant has been replaced by the installation of sewers and is no longer needed for municipal purposes;

NOW, THEREFORE, be it

RESOLVED, that the property consisting of 1.73 acres, and described in Schedule "A" attached, is hereby declared surplus municipal property, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to offer the property for sale in one or more parcels to the contiguous property owner or owners for a total sales price not less than the fair market value as determined by appraisal and subject to the following conditions:

1. Any state of facts an accurate survey or personal inspection would reveal;
2. Easements, covenants, and restrictions of record, if any;
3. Zoning Ordinance of the Town of Clarkstown,

and be it

Continued on Next Page

AAG517

404

RESOLUTION NO. (632-1986) Continued

FURTHER RESOLVED, that any proposed sale of the subject premises shall be subject to acceptance by further resolution of the Town Board and subject to a permissive referendum as provided by law.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (633-1986)

ACCEPTING SETTLEMENT OF TAX
CERTIORARI PROCEEDING

Co Nowicki offered the following resolution:

WHEREAS, the owner of premises described on the Clarkstown Tax Map as Map 52, Block A, Lots 3, 20, and 21, has petitioned for reduction of the assessment for the assessment year 1985, and

WHEREAS, Joel J. Flick, Esq., Deputy Town Attorney for certiorari matters has recommended a settlement in accordance with a memo dated June 19, 1986, which settlement would not result in the refund of any tax previously collected, and

WHEREAS, the Town Board believes this settlement to be in the best interest of the Town,

NOW, THEREFORE, be it

RESOLVED the Town of Clarkstown is hereby authorized to enter into the settlement described in the memo referred to above subject to approval of the Court pursuant to Section 68 of 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. (634-1986)

ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETING
OF MAY 27, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meeting of May 27, 1986 is hereby accepted as submitted by the Town Clerk.

Seconded by Co. Carey

RESOLUTION NO. (634-1986) 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. (635-1986)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING
AGAINST JAMES KAREN AND
SUSAN REED KAREN FOR
REMOVAL OF VIOLATION ON
PREMISES KNOWN AS MAP 70
BLOCK B, LOT 6 PURSUANT TO
CHAPTER 79 TOWN CODE -
PUBLIC HEARING TO BE HELD
ON SEPT. 9, 1986

Co. Maloney offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of Clarkstown provides that the Town Board may, by resolution, authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 79, BLOCK B, LOT 6, located at 102 Sickletown Road, West Nyack, New York, reputedly owned by JAMES KAREN and SUSAN REED KAREN, has been the subject of a Violation Notice issued against the property owners for lack of property maintenance of the property in that there is debris, litter and garbage on the front porch of the house, in the front yard, both side yards and rear yard, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises, pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 70, BLOCK B, LOT 6, reputedly owned by JAMES KAREN and SUSAN REED KAREN, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order upon the property owners directing that the said nuisance, hazard and litter be removed within 20 days from the receipt of said Notice and order, and be it

FURTHER RESOLVED, that said Notice and Order shall advise the property owners that upon failure to remove and otherwise correct the nuisance existing on said property, that the Town Board may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owners in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

Continued on Next Page

ABE209

RESOLUTION NO. (635-1986) Continued

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of September, 1986, at 8:30 P.M., at which time the then existing condition of the property shall be determined and an appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owners as disclosed in the Rockland County Clerk's Office, by personal service, if possible, and by certified mail, return receipt, on or before August 1, 1986.

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. (636-1986)

SETTING A PUBLIC HEARING -
AUG. 27, 1986 WITH RESPECT
TO ALLEGED VIOLATIONS OF
CHAPTER 63 OF THE TOWN CODE
OF THE TOWN OF CLARKSTOWN
(MONSEY CARTING CO.)

Co. Nowicki offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that Monsey Carting Company Inc., P.O. Box 234, West Nyack, New York, a garbage carter authorized to use the Clarkstown Sanitary Landfill has violated certain provisions of Chapter 63 of the Town Code of the Town of Clarkstown entitled, "Landfills," which are required to be observed by carters who dump in the Clarkstown Sanitary Landfill, in that garbage debris from outside the Town of Clarkstown was dumped therein without the permission of the Town Board:

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to prepare Charges and Specifications and serve notice thereof upon MONSEY CARTING COMPANY, INC., for a hearing to be held before the Town Board of the Town of Clarkstown on August 27, 1986 at 8:00 P.M. in Room 311 at Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York

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. (637-1986)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF THE CODE
OF THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

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

VICTOR P. ZUGIBE, INC.
66 Railroad Avenue
Garnerville, New York 10923

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration
be issued; however, such certificate shall expire on July 30, 1986
unless an extension of Workers' Compensation and Liability
Insurance is obtained to expire not sooner than December 31, 1986.

No. 86-21 issued to Victor P. Zugibe, 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. (638-1986)

ACCEPTING DECLARATION AND
CREATION OF CROSS EASEMENTS
RE: "CONGERS CORNER"

Co. Nowicki offered the following resolution:

RESOLVED, that upon the recommendation of the Town
Attorney, and in accordance with a proposed subdivision plat
entitled "CONGERS CORNER" prepared by Henry Horowitz, Inc., a
Declaration of Restrictive Covenants and Creation of Cross Easements
affecting Map 142, Block A, Lots 32.21, 32.22, 32.23, 32.24 and
32.25 in said subdivision about to be filed is hereby accepted and
ordered recorded in the Rockland County 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

RESOLUTION NO. (639-1986)

SETTING COMPENSATION FOR
LITTER CONTROL BUREAU &
SHADE TREE COMMISSION

Co. Carey offered the following resolution:

RESOLVED, that compensation for Members of the Litter
Control Bureau and the Shade Tree Commission - is hereby established
at the rate of:

Continued on Next Page

ABE209

RESOLUTION No. (639-1986) Continued

Member \$500.00 per annum
Chairman \$750.00 per annum

effective July 7, 1986.

AND, BE IT FURTHER RESOLVED, to decrease Contingency Account No. A 1990-505 by \$2,800 and increase the following Appropriation Account Numbers:

A 8095-114 \$1,692.00
A 8730-114 \$1,108.00

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. (640-1986)

RECLASSIFYING POSITION OF
AUTOMOTIVE MECHANIC TO
AUTOMOTIVE MECHANIC AND
BODY/REPAIRER (HIGHWAY
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on June 10, 1986, that the position of Automotive Mechanic, Town Highway Department, can be reclassified to the position of Automotive Mechanic and Body Repairer,

NOW, THEREFORE, be it

RESOLVED, that the position of Automotive Mechanic Town Highway Department, is hereby reclassified to the position of Automotive Mechanic and Body Repairer, effective July 7, 1986.

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 (641-1986)

APPOINTING FRED G. EBNER,
JR. CUSTODIAL WORKER
(MAINTENANCE)

Co Carey offered the following resolution:

RESOLVED, that Fred G. Ebner, Jr., 27 Third Street, Congers, New York, is hereby appointed to the position of (temporary) Custodial Worker - Maintenance Department - at the current 1986 annual salary of \$13,131, effective and retroactive to June 9, 1986.

RESOLUTION NO. (641-1986) Continued

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. (642-1986)

APPOINTING NICHOLAS LONGO
TO THE POSITION OF-
ASSESSOR B (ASSESSORS
OFFICE)

Co. Carey offered the following resolution:

RESOLVED, that Nicholas A. Longo, 38 Pondview Drive, Congers, New York, is hereby appointed to the position of Assessor B - term effective July 2, 1986 and to expire on September 30, 1989 at the 1986 Special Bargaining Unit salary of Grade 34 (E).

Seconded by Co. Lettre

On roll call the vote was as follows:

Co. Carey.....	Yes
Co. Lettre.....	Yes
Co. Maloney.....	No
Co. Nowicki.....	Yes
Supervisor Holbrook.....	No

On roll call Co Lettre stated that he found it quite curious that Mrs. Fleisher and others would come before us this evening and ask me not to vote on this Assessor's position because my brother has purchased and owns land in the Town of Clarkstown, which she values at large sums of money. To be consistent, she should also mention that my colleague, Mr. Holbrook's father-in-law owns one of the most valuable pieces of land in the Town of Clarkstown. I do not bring this up as an aspersion upon the Supervisor, but rather to draw a parallel. I think that Mrs Fleisher before she speaks, political rhetoric is cheap, should come forth with the facts. The facts being that land that is purchased in the Town of Clarkstown, I assume anywhere in the State of New York is purchased as raw land with no structures on it and is valued as raw land which has a fixed price. That land valued for the assessed valuation could not change until a structure is fully completed and occupied, then the new home owner or whatever occupant would have possession would then pay the full value of that structure and parcel of land. There is no possible way, nor would I tolerate any improprieties. I value my position as a Town Councilman highly. I value every vote that I make highly and each and every vote that I make is made with the best interest of the taxpayers of the Town of Clarkstown in mind. It is very easy Mrs. Fleisher as a politician to come forth and chastise and throw stones at the opposition party. I vote yes.

On roll call Co. Maloney stated I have received many applications of people that were eminently qualified and I wish that I had the opportunity to sit down with them and to talk to them about how they saw the Tax Assessors job in the Town of Clarkstown, but we weren't able to do that. I did not receive a resume from Mr. Longo. I know that eventually whoever is appointed will probably

Continued on Next Page

ABE647

have to have their credentials reviewed by the State Board of Equalization and Review and I guess they will tell us whether or not Mr. Longo is qualified. I said what I had to say previously and I just want to quote what a colleague of mine sitting on the Town Board said and I am quoting from the Journal News "Carey however said the appointment is indeed partly to help Mrs. Nowicki and strenghten GOP ties with the Conservative Party. There were some political realities we have to face he said, but I think Nick can do the job." I vote no.

On roll call Co. Nowicki stated, I would like to remind my colleague Mr. Maloney that when Mr. Longo retired he praised him highly for his administrative ability and I don't have the minutes of that meeting here with me at the moment but I think he was quite fulsome in his praise. I was dismayed to read that the Journal News thought that our marriage would fall apart over one small disagreement. We all know that marriages suffer these little set backs but it doesn't mean a thing. Our marriage on this Town Board is going ahead as strong as ever. We are a united Town Board and we try to keep the good of the public in Clarkstown in mind at all times. I vote yes

On roll call Supervisor Holbrook stated my comments in the press speak for themselves. I vote no

RESOLUTION NO. (643-1986) GRANTING LEAVE OF ABSENCE TO FRED HASTINGS (RECREATION DEPARTMENT)

Co. Maloney offered the following resolution:

WHEREAS, Fred Hastings 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 based upon the recommendation of the Parks Board and Recreation Commission, that Fred Hastings, 27 Lake Nanuet Drive, Nanuet, New York - Senior Groundsworker - Parks Board and Recreation Commission - is hereby granted a five (5) month leave of absence, without pay, effective Monday September 6, 1986 to Monday, February 9, 1987.

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. (644-1986) APPOINTING KENNETH KELLY TO THE POSITION (PROVISIONAL) COURT ATTENDANT - TOWN JUSTICE DEPARTMENT

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (644-1986) Continued

RESOLVED, that Kenneth Kelly, 33 Terrace Avenue, Nanuet, New York, is hereby appointed to the position of (provisional) Court Attendant - Town Justice Department at the current 1986 annual salary of \$12,068., effective June 30, 1986.

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

ABE209

RESOLUTION NO. (645-1986)

GRANTING RITA SAKOWICZ A
LEAVE OF ABSENCE WITHOUT PAY

Co. Maloney offered the following resolution:

WHEREAS, RITA Sakowicz was granted a leave of absence, without pay, and

WHEREAS, Rita Sakowicz, has now returned from said leave of absence,

NOW, THEREFORE, be it

RESOLVED, that Rita Sakowicz, 2 Teakwood Lane, New City, New York - Typist - Town Justice Department - is hereby allowed to work less than full-time in the capacity of Typist - Town Justice Department - for the period effective and retroactive to June 23, 1986 to July 7, 1986.

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. (646-1986)

AUTHORIZING THE TOWN BOARD
TO APPROPRIATE \$5,000.00 TO
THE DRUG ABUSE PREVENTION
COUNCIL AND APPROPRIATING
IT FROM ACCOUNT NO.
A-8840-424

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Drug Abuse Prevention Council has requested that the Town appropriate the sum of \$5,000 to be used to provide grants to Town organizations or groups for the purposes of establishing programs which would seek to combat drug and other substance abuse problems within the Town, as well as educate youth and others to avoid such problems, and

WHEREAS, the proposal is consistent with the legislative objectives are set forth in Section 7B of the Town Code of the Town of Clarkstown entitled, "Drug Abuse Prevention Council;"

RESOLUTION NO. (646-1986) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby appropriates the sum of \$5,000 to provide for a grant or grants to the Town of Clarkstown organizations or groups recommended by the Drug Abuse Prevention Council, and be it

FURTHER RESOLVED, that all grant awards shall be subject to approval by further resolution of the Town Board, and be it

FURTHER RESOLVED, that said \$5,000 shall be appropriated from Account No. A-8840-424.

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. (647-1986)

AMENDING RESOLUTION NO.
1079-1985 RE: COMMUTER
PARKING, KEMMER LANE, NANUET

Co. Carey offered the following resolution:

RESOLVED, that resolution No. 1079-1985, Commuter Parking area, Kemmer Lane, Nanuet, New York is hereby amended to provide that permits issued shall be charged at the rate of \$100.00 per year or any part thereof per vehicle.

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. (648-1986)

ADOPTING SELF-EVALUATION
REPORT AND GRIEVANCE
PROCEDURES WITH RESPECT TO
DISCRIMINATION AGAINST
HANDICAPPED PERSONS
PURSUANT TO FEDERAL REVENUE
SHARING REGULATIONS

Co. Maloney offered the following resolution:

RESOLUTION NO. (648-1986) Continued

WHEREAS, the Town Board, in conjunction with the requirements of Section 51.55 of the Federal Revenue Sharing Regulations, has adopted measures to insure that handicapped persons do not suffer discrimination in the Town of Clarkstown, and

WHEREAS, the Town Board has had an opportunity to review the self-evaluation report as attached herewith, and

RESOLUTION NO. (648-1986) Continued

WHEREAS, the Town Board has received proposed procedures for handling grievances alleging discrimination against handicapped persons, as attached herewith:

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby adopts the self-evaluation report as the official evaluation of Town facilities and does adopt same in order to comply with statutory requirements, and be it

FURTHER RESOLVED, that the Town Board hereby accepts the proposed grievance procedure for the Town of Clarkstown's Grievance Committee for non-discrimination to the handicapped, as required by Section 51.55 of the Federal Revenue Sharing Regulations, and be it

FURTHER RESOLVED, that the self-evaluation report and the grievance procedure shall be filed in the Office of the Town Clerk.

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. (649-1986)
(SEE RESOLUTION NO. 668-1986)

AMENDING THE ZONING
ORDINANCE OF THE TOWN OF
CLARKSTOWN (SECTION 106-20
B)

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of May, 1986, provided for a public hearing on the 24th day of June, 1986 at 8:10 P.M., to consider the adoption of the following proposed amendment 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:

Amend section 106-20 B of the Zoning Ordinance by adding new Item "9" as follows:

"9. A deck or raised terrace, without a permanent roof or an enclosure below the deck, attached to the dwelling may project into a required rear or side yard under the following conditions:

(a) For subdivision plats approved under the provisions of Town Law Section 281, such deck may project into a rear yard provided that it does not exceed 308 square feet and does not extend out from the building more than 14 feet. This exception shall also apply to side yards provided such deck or raised terrace is not closer than 10 feet to the property line.

ABE647

RESOLUTION NO. (649-1986) Continued

(b) For approved subdivision plats which have been rezoned to a lesser density zone after development, a projection into the required rear yard which does not exceed 240 sq. ft. and which does not extend out more than 12 feet from the building is permitted. This exception shall also apply to side yards provided such deck or raised terrace is not closer than 10 feet to the property line.

(c) For individual lots that have non-conforming bulk as to rear or side yard setbacks, such deck or raised terrace may project into the rear or side yard provided it does not exceed 240 sq. ft. and is not closer than 10 feet to the property line.

(d) For sites in RG or MF Zones in condominium ownership, such deck or raised terrace may project into a required rear or side yard provided it does not extend out more than 10 feet from the building.

(e) For lots in RG or MF Zones in individual ownership subject to a homeowners association or other cooperative type of ownership, a deck or raised terrace may project into a rear yard provided it does not extend out more than 10 feet from the building and in no event shall it project into any common area."

Seconded by Co. Maloney:

On roll call the vote was as follows:

Co. Carey.....	No
Co. Lettre.....	Yes
Co. Maloney.....	Yes
Co. Nowicki.....	No
Supervisor Holbrook.....	Yes

On roll call Co. Carey stated he has reservations. He would like a Planning report before I vote yes. I vote No.

On roll call Co. Nowicki stated No - pending comment from the Planning Board.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted the Town Board Meeting was closed, time: 9:40 P.M.

Respectfully submittd,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/24/86

9:28 P.M.

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

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE - SECTION 106-20 B

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was declared open. The Town Clerk read notice calling Public Hearing and Town Attorney testified as to proper posting and publication. In addition there is an affidavit of mailing of the notice of public hearing to various municipalities in the County of Rockland and also a referral to the Rockland County Planning Board that was made on May 29, 1986.

Supervisor Holbrook asked Mr. Geneslaw if he would like to make a comment.

Mr. Geneslaw said that the Planning Board has not had an opportunity to make a recommendation. On the other hand, I'd like to request that we defer decision. I would also like to indicate that we have not completed our review and we do have reservations about several sections. He said he could have his comments at the next Town Board meeting.

Supervisor asked if there was anyone wishing to be heard.

Appearance John Fivavanti
2 Rusten Lane
Spring Valley

He said he was representing the Home Owner's Assoc. and he said he would like to know if he could at least get E of the Resolution passed tonight.

Appearance: Frank Wennet
New City

He said that he had a handicapped youngster and eighteen years ago he had made his deck extremely large because he was in a wheelchair and at that time they did not know that there was a building permit required and at the present time they are in violation. This amendment will correct the violation.

Co. Nowicki requested that the Board not act on this without input from the Planning Board and wait two weeks.

Co. Lettre said that we have given this great thought and if they come back with something that deserves our attention we can always reschedule and address that aspect of it.

Co. Nowicki asked Mr. Geneslaw if the Planning Board had any strong reservations about this.

Mr. Geneslaw said that his guess is that they will have reservations about d and e.

There being no one further wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney the RESOLUTION TO CLOSE the Public Hearing was unanimously adopted, time: 9:40 P.M.

Respectfully submitted
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (649-1986) ADOPTED

ABE209