

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

7/8/86

8:00 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor opened the public portion of the meeting and
asked if there was anyone who wished to speak.

Appearance: Charles Pepe
120 North Pascack Road
Spring Valley

He appeared regarding being provided access from his
property to the tunnel by-pass road and he was opposed to sale of
land from D.O.T. Mr. Pepe said he would submit petitions on behalf
of his neighbors but he did not submit them at this meeting.

Appearance: John Lodico
New City

He spoke regarding Clarkstown Police Department and made
recommendations regarding police procedures.

Appearance: Ed Duffy
Pineview Ave.
Nanuet

He spoke regarding the moratorium on Route 59, Nanuet,
and his concern over the traffic problem.

Supervisor Holbrook said item 14 on this agenda will
hopefully facilitate improvements at the Route 59 corridor.

Councilman Nowicki interjected to say that the Garden
Club was doing a beautification planting on Route 304 and Bardonia
Road and she wished to commend them for their fine work throughout
the Town.

RESOLUTION NO. (652-1986)

ACCEPTING MINUTES OF REGULAR
TOWN BOARD MEETING OF JUNE
10, 1986

Co. Nowicki offered the following resolution:

RESOLVED, that the minutes of the regular Town Board
meeting of June 10, 1986 are hereby accepted as submitted by the
Town Clerk.

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. (653-1986)

AUTHORIZING TOWN ATTORNEY TO
DEFEND PROCEEDING AGAINST
TOWN OF CLARKSTOWN MARIA
CIRELLI VS. ZONING BOARD OF
APPEALS.

ABE633

RESOLUTION NO. (653-1986) Continued

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
MRS. MARIA CIRELLI,
Petitioner,

-against-

THE ZONING BOARD OF APPEALS OF THE
TOWN OF CLARKSTOWN,
Respondent.

NOW, THEREFORE, be it

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

Seconded by Co. 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. (654-1986)

AUTHORIZING HOWARD LAMPERT TO
MAKE A TRAFFIC STUDY -
LAKEWOOD DRIVE, CONGERS, NY

Co. Maloney offered the following resolution:

RESOLVED, that Howard L. Lampert, Traffic and Highway Engineering Consultant, is hereby directed to investigate the traffic conditions on Lakewood Drive, Congers, New York, and submit a traffic study with respect to traffic control improvements.

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. (655-1986)

AUTHORIZING ADDITIONAL
COMPENSATION TO HOWARD
LAMPERT, TRAFFIC ENGINEER

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION No. (655-1986) Continued

RESOLVED, in accordance with additional Traffic Safety studies requested by the Supervisor covering Emerald Terrace; Main Street striping New City; and Blauvelt Road, Howard L. Lampert, Traffic and Highway Engineering Consultant is to be compensated \$200.00, which shall be charged to Account No. A 3320-409.

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

ABE633

RESOLUTION NO. (656-1986)

AMENDING RESOLUTION NO.
478-1986 ADOPTED AT TOWN
BOARD MEETING 5/13/86 TO
INCLUDE TRAFFIC SAFETY STUDY
ON KINGS HIGHWAY

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 478-1986 adopted at the Town Board meeting of May 13, 1986 is hereby amended to include the following:

"Extension of Traffic Safety Study on Kings Highway from Storms Road to the railroad tracks to include study from the Railroad Tracks to Congers Road for the additional amount of \$800."

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. (657-1986)

AUTHORIZING SUPT. OF
RECREATION & PARKS TO
IMPLEMENT ARRANGEMENTS FOR
ROCKLAND COUNTY FAIR AND
AUTHORIZING TO TRANSFER
\$2,000. FROM A 1990-505 TO A
7620-424 TO COVER EXPENSES

Co. Carey offered the following resolution:

RESOLVED, that Edward J. Ghiazza, Supt. of Recreation and Parks, is directed and authorized to implement all arrangements for the Town of Clarkstown for all town agencies to participate in the Rockland County Fair to be held August 12 - 17, 1986 at Rockland Community College, Suffern, New York, and

FURTHER RESOLVED, that the Town Comptroller is hereby authorized to transfer \$2,000. from A 1990-505 to A 7620-424 to cover all necessary expenses.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (657-1986) 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. (658-1986)

ACCEPTING DECLARATION FOR
WIDENING OF STATE ROAD
(SOTTOVIA WAREHOUSE)

Co. Maloney offered the following resolution:

RESOLVED, that a Declaration of Covenants made by JOSEPH SOTTOVIA and RITA SOTTOVIA in connection with a Site Plan known as SOTTOVIA WAREHOUSE gratuitously conveying a 10 ft. road widening strip along Route 9W, Congers, New York, a State road, is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of an Affidavit of clear title in a form acceptable to the Town Attorney.

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. (659-1986)

AUTHORIZING ATTENDANCE AT
CONFERENCE - SUPT. OF
RECREATION & PARKS AND ALL
APPROPRIATE EXPENSES BE
CHARGED AGAINST APPROPRIATION
ACCOUNT A7141-414

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission, that Edward J. Ghiazza, Supt. of Recreation and Parks, is hereby authorized to attend the National Recreation and Park Association Congress October 16, 1986 to October 21, 1986 in Anaheim, California, and

FURTHER RESOLVED, that all appropriate expenses be charged against Appropriation Account A 7141-414.

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

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RESOLUTION NO. (660-1986)

DECREASING APPROPRIATION
ACCOUNT NO. A 1010-419
(COUNCILMEN-MISC. SERVICES)
AND INCREASE APPROPRIATION
ACCOUNT NO. A 1010-201 BY \$640.
(FURNITURE & FURNISHINGS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1010-419 (Councilmen-Misc. Services) and increase Appropriation Account No. A 1010-201 (Furniture & Furnishings) by \$640.

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. (661-1986)

DECREASING APPROPRIATION
ACCOUNT NO. A 3020-110
(CENTRAL COMMUNICATIONS
SALARIES) BY \$4,930 AND
INCREASING APPROPRIATION
ACCOUNTS: A 3020-209 -
\$4,775; A3020-313 - \$155.

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 3020-110 (Central Communications-Salaries) by \$4,930 and increase the following Appropriation Accounts:

A3020-209.....\$4,775
A3020-313 155

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. (662-1986)

INCREASING APPROPRIATION
ACCOUNT NO. A 1670-114 (MAIL
& COPY-PART-TIME EMPLOYEES)
BY \$11,000 AND DECREASE THE
FOLLOWING APPROPRIATION
ACCOUNTS: A 1670-438
(MAINTENANCE AGREEMENTS) -
\$5,000; A 1670-313 (OFFICE
SUPPLIES & PRTG.) - \$6,000

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account No. A 1670-114 (Mail & Copy -Part-time Employees) by \$11,000 and decrease the following Appropriation Accounts:

Continued on Next Page

ABE633

RESOLUTION No. (662-1986) Continued

- A 1670-438 (Maintenance Agreements).....\$5,000
- A 1670-313 (Office Supplies & Prtg.).... 6,000

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. (663-1986)

DECREASING APPROPRIATION
ACCOUNT NO. DA 5142-111 (SNOW
REMOVAL-OVERTIME) AND
INCREASING APPROPRIATION
ACCOUNT NO. DA 5142-386
(SALT, CALCIUM, CHLORIDE) BY
\$42,500

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. DA
5142-111 (Snow Removal-Overtime) and increase Appropriation Account
No. DA 5142-386 (Salt, Calcium, Chloride) by \$42,500.

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. (664-1986)

DECREASING APPROPRIATION
ACCOUNT NO. A 7550-409
(BI-CENTENNIAL
CELEBRATION-FEES FOR
SERVICES) BY \$275 AND
INCREASE APPROPRIATION
ACCOUNTS: A 7550-313 (OFFICE
SUPPLIES & PRtg.) - \$225.; A
7550-423 (ASSOCIATION DUES) -
\$50.

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
7550-409 (Bi-Centennial Celebration-Fees for Services) by \$275 and
increase the following Appropriation Accounts:

- A 7550-313 (Office Supplies & Prtg.)\$225
- A 7550-423 (Association Dues)..... 50

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. (667-1986) Continued

WHEREAS, the Director of the Department of Environmental Control has recommended that he be authorized to hire Cal Mart Construction Corp., Inc., the contractor working on the Dr. Brenner's Office Building site, to install the drainage along South Main Street;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to hire Cal Mart Construction Corp., Inc. to install the drainage along the West side of South Main Street as shown on the drawings prepared by the Department of Environmental Control, and be it

FURTHER RESOLVED that the Supt. of Highways is authorized to supply the necessary material for this project, and be it

FURTHER RESOLVED, that the cost for the above should not exceed \$6,000. and be charged to the drainage Bond Capital Account 2

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. (668-1986)

ADOPTING NEGATIVE DECLARATION
PART OF RESOLUTION
NO.649-1986 (AMENDMENT TO
ZONING ORDINANCE ON
DECKS-106-20B, Item 9)

Co. Maloney offered the following resolution:

WHEREAS, Resolution No. 649-1986 adopted by the Town Board of the Town of Clarkstown on June 24, 1986, amended Section 106-20B, Item 9, of the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, the Planning Consultant had determined by completion of the Short Environmental Assessment Form, that the proposed amendment of the Zoning Ordinance will have no significant effect on the environment;

NOW, THEREFORE, be it

RESOLVED, that the Negative Declaration pursuant to SEQRA, as stated in attached Schedule "A," is hereby adopted by the Town Board, and same is deemed to be part of Resolution No. 649-1986.

(SECHEDULE "A" ON FILE IN TOWN CLERK'S OFFICE)

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. (669-1986)

AUTHORIZING SUPT. HIGHWAYS TO
PERFORM CORRECTIVE DRAINAGE
WORK-- NEW HEMPSTEAD ROAD,
NEW CITY AND CHARGING
\$2,273.65 TO DRAINAGE BOND
CAPITAL ACCOUNT II

RESOLUTION NO. (669-1986) Continued

Co. Maloney offered the following resolution:

WHEREAS, a drainage condition exists in the vicinity of 216 New Hempstead Road, New City,

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways be authorized to perform corrective drainage which includes 80' of 30" reinforced concrete pipe and appropriate restoration, for a sum not to exceed \$2,273.65, which represents material costs, and be it

FURTHER RESOLVED, that the sum of \$2,273.65 be charged to Drainage Bond Capital Account II.

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. (670-1986)

CONFIRMING SITE PLAN FOR
TUNNEL BY-PASS ROAD ON
RIGHT-OF-WAY

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board confirms the site plan for the tunnel by-pass road to be constructed on the right-of-way, as shown on the plan which was forwarded on April 29, 1986 to the New York State Department of Transportation.

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. (671-1986)

AUTHORIZING 280-a(2) RE:
GREGORY MILLER, TAX MAP 111,
BLOCK A, LOTS 12.01 AND 12.02

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to GREGORY MILLER for property situate at South Grant Avenue, Congers, New York, more particularly designated on the Clarkstown Tax Map as: Map 111, Block A, Lots 12.01 and 12.02, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and shall provide:

ABE647

RESOLUTION NO. (671-1986) Continued

1. That the property owner shall acknowledge that no Town services including but not limited to maintenance, paving or snow removal shall be provided along South Grant Avenue;

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

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including South Grant Avenue, to 50 feet in width.

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

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

- (a) Install culvert and drainage system to the satisfaction of the Director of Environmental Control.
- (b) Repair damage to the existing macadam driveway, due to construction, to the satisfaction of the Director of Environmental Control.
- (c) That soil erosion and sediment control be provided during construction to the satisfaction of the Director of Environmental Control, and also be shown on the grading plan.
- (d) Install a sanitary sewer system including the spur at no expense to the Town.
- (e) Feasibility study of sewer connection to Kings Highway should be submitted to the Director of Environmental Control.

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. (672-1986)

REQUESTING NYS DEPARTMENT OF
TRANSPORTATION TO FACILITATE
IMPROVEMENTS FOR ROUTE 59
CORRIDOR

Co. Maloney offered the following resolution:

RESOLVED, that the NYS Department of Transportation is hereby requested to facilitate an update for improvements along the Route 59 Corridor, Spring Valley, N.Y. and Nanuet, N.Y., to reflect the problems created by the traffic flow in these areas, in particular the intersections of Grandview Ave. & Rt. 59 and Middletown Road & Rt. 59, and be it

RESOLUTION NO. (672-1986) Continued

FURTHER RESOLVED, that copies of this resolution be submitted to State Senator Eugene Levy and State Assemblymen, Robert Connor, Mary McPhillips and Sam Colman

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

ABE633

RESOLUTION NO. (673-1986)

AWARDING BID #51-1986
REINFORCED CONCRETE CULVERT
PIPE, CATCH BASIN BLOCK AND
BRICK TO: FEDERAL CORP.,
MULTIPLEX CONCRETE CO., INC.,
KENVIL NEWCRETE PRODUCTS CO.,
LEONARD CONCRETE PIPE CO.,
INC.

Co. Carey offered the following resolution:

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

BID #51-1986
REINFORCED CONCRETE CULVERT PIPE,
CATCH BASIN BLOCK AND BRICK

is hereby awarded to:

FEDERAL BLOCK CORP.
129 Walsh Ave.
New Windsor, N.Y. 12550

Multiplex Concrete Co., Inc.
64 Glenwood Place
East Orange, N.J. 07017

Kenvil Newcrete Products Co.
P.O. Box C
Kenvil, N.J. 07847

Leonard Concrete Pipe Co., Inc.
375 Mather St.
Hamden, Ct. 06514

as per the attached item price schedule.

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. (674-1986)

AMENDING TOWN BOARD
RESOLUTION #573, 6/10/86 AND
AWARDING BID #45-1986,
ALUMINIZED STEEL TYPE 2
CULVERT PIPE TO: BRIGHTON
STEEL, CHEMUNG SUPPLY CORP.

Co. Maloney offered the following resolution:

RESOLVED, that Town Board Resolution #573-1986 dated
6/10/86 is hereby ammended to read

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

BID #45-1986
ALUMINIZED STEEL TYPE 2 CULVERT PIPE

is hereby awarded to

BRIGHTON STEEL
ROUTE 52
HOPEWELL JCT., N.Y. 12533

CHEMUNG SUPPLY CORP.
P.O. BOX 527
ELMIRA, N.Y. 14902

as per the attached schedule of prices.

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. (675-1986)

AMENDING TOWN BOARD
RESOLUTION #620-1986 AND
AWARDING BID #36-1986, TWO
REFUSE COMPACTORS TO:
TURNPIKE FORD TRUCK SALES,
INC. AND CHARGING FUNDS TO
CAPITAL ACCOUNT-FEDERAL
REVENUE SHARING

Co. Maloney offered the following resolution:

RESOLVED, that Town Board resolution #620-1986 is hereby
ammended to read,

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 DEPT.

is hereby awarded to

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

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RESOLUTION NO. (675-1986) Continued

as per their lowest responsible proposal meeting specifications of \$84,321.00 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

ABE633

RESOLUTION NO. (676-1986)

AWARDING BID #50-1986 FOUR FORD DUMP TRUCKS TO: PLEASANTVILLE FORD, INC. AND CHARGE TO FEDERAL REVENUE SHARING ACCOUNT H5110-33-209

Co. Maloney offered the following resolution:

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

BID #50-1986
FOUR (4) FORD DUMP TRUCKS EQUIPPED WITH SALT SPREADERS AND SNOW PLOWS

is hereby awarded to:

Pleasantville Ford, Inc.
47 Pleasantville Rd.
Pleasantville, N.Y. 10570

as per their lowest bid meeting Town specification of \$48,929.00 each, and be it

FURTHER RESOLVED, that funds for same be charged to Federal Revenue Sharing Account H5110-33-209.

Seconded by Co. Nowicki

On roll all the vote was as follows:

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

RESOLUTION NO. (677-1986)

AUTHORIZING SEMINAR ATTENDANCE ON APPRAISING - NICHOLAS LONGO & ADAM KOPF - JULY 20-25, 1986 AND CHARGE AGAINST 1010-414

Co. Lettre offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown and Adam P. Kopf, Real Property Appraiser for the Town of Clarkstown, are hereby authorized to attend the Seminar on Appraising for Assessors from July 20, 1986 to July 25, 1986.

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RESOLUTION NO. (677-1986) Continued

FURTHER RESOLVED, that all proper charges not to exceed \$930.00 plus meals be charged against 1010-414.

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. (678-1986)

SETTING A PUBLIC HEARING
REQUEST FOR SPECIAL PERMIT
FROM JOHN F. GILLESPIE TO
CONDUCT A LANDFILL OPERATION

Co. Maloney offered the following resolution:

WHEREAS, JOHN F. GILLESPIE, has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation for property located on Dr. Davies Road, Congers, New York, and more particularly described on the Clarkstown Tax Map as Map 141, Block A, Lot 6.08, pursuant to Chapter 106-10A, Table 12, Column 3, Item B-2 and Table 15, Column 3, Item B-3 of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 9th day of September, 1986 at 8:35 P.M., to consider the application of JOHN F. GILLESPIE, relative to said Special Permit, and be it

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

FURTHER RESOLVED, that this application be referred to the Clarkstown Planning Board pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law for study and report and the following agencies for comment or study and report by August 27, 1986:

1. Building Inspector, Town of Clarkstown;
2. Dept. of Environmental Control, Town of Clarkstown;
3. Shade Tree Commission, Town of Clarkstown;
4. New York State Department of Transportation;
5. New York State Dept. of Environmental Conservation;
6. Palisades Interstate Park Commission;
7. Rockland County Drainage Agency;
8. Rockland County Health Department;
9. Rockland County Soil Conservation

and be it

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

Seconded by Co. Lettre

RESOLUTION NO. (678-1986) 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. (679-1986)

AUTHORIZING TOWN ATTORNEY TO
DEFEND A PROCEEDING AGAINST
THE TOWN OF CLARKSTOWN: RE
STEVE ENGLANDER AND
CLARKSTOWN POLICE DEPARTMENT

Co. Nowicki 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
STEVE ENGLANDER,

Petitioner,

For an Order requiring THE CLARKSTOWN POLICE DEPARTMENT,

Respondent,

to produce the criminal records pertaining to Petitioner

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. (680-1986)

GRANTING REQUEST OF THE
ROCKLAND COUNTY CENTER FOR
PHYSICALLY HANDICAPPED FOR
THE USE OF THE CLARKSTOWN
SHOWMOBILE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Center for Physically
Handicapped has requested use of the Town of Clarkstown showmobile
on Sunday, August 3, 1986, for a benefit concert to be held at the
Clarkstown South High School football field, West Nyack, New York,

NOW, THEREFORE, be it

RESOLVED, that the Rockland County Center for Physically
Handicapped is hereby granted permission to use the Town of
Clarkstown showmobile on Sunday, August 3, 1986 (raindate Sunday,
August 10, 1986) for the above purpose and subject to the necessary
insurance policies.

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RESOLUTION NO. (680-1986) 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. (681-1986)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT WITH
COUNTY OF ROCKLAND FOR STREAM
MAINTENANCE

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the County of Rockland for stream maintenance;

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 County of Rockland in a form satisfactory to the Town Attorney and which shall provide that the Town of Clarkstown shall receive the sum of \$24,000.

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. (682-1986)

SETTING PUBLIC HEARING FOR
AUGUST 12TH - EXTENSION OF
CLARKSTOWN CONSOLIDATED WATER
DISTRICT #1 - LONG CLOVE ROAD
ASSOCIATES, INC.

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated June 9, 1986, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

Description on file in the Town Clerk's Office

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 12 day of August, 1986, at 8:00 P.M., to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

RESOLUTION NO. (682-1986) 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. (683-1986)

REQUESTING NYS DEPT. OF
TRANSPORTATION TO REMEDY
SITUATION ALONG PIPETOWN HILL
ROAD, SPRING VALLEY

Co. Nowicki offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown wishes to make known to the NYS Dept. of Transportation and our State elected representatives that a horrendous situation exists along Pipetown Hill Road in the Clarkstown portion of Spring Valley, New York. The situation involves debris, junk cars and domestic garbage, which presents a threat to the health and safety of Clarkstown residents, and be it

FURTHER RESOLVED, that the NYS Department of Transportation is encouraged to speedily remedy this situation before the Town Board is forced to declare an emergency, and be it

FURTHER RESOLVED, that copies of this resolution be sent to State Senator Eugene Levy and State Assemblymen, Robert Connor, Mary McPhillips and Sam Colman

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. (684-1986)

APPOINTING WILLIAM MEISLAHN,
POLICE OFFICER

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of William Meislahn, 81 Smith Street, Nanuet, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1986 annual salary of \$26,618., effective July 14, 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

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RESOLUTION NO. (685-1986)

APPOINTING THOMAS P. SHEEHY,
POLICE OFFICER

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Thomas P. Sheehy, 660 Route 304, Bardonia, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1986 annual salary of \$26,618, effective July 14, 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. (686-1986)

APPOINTING JAMES QUINN,
POLICE OFFICER - CONTINGENT
PERMANENT

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James Quinn, 40 C Gail Drive, Nyack, New York, as Police Officer (contingent permanent) - Police Department - from Certification of Eligibles Police Officer - #84200 - at the current 1986 annual salary of \$26,618., effective July 14, 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. (687-1986)

APPOINTING MICHAEL KELLY,
POLICE OFFICER

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Michael Kelly, 47 Hall Avenue, New City, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1986 annual salary of \$26,618., effective July 14, 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. (688-1986)

APPOINTING PETER BEARY TO THE
POSITION OF ASSISTANT
BUILDING INSPECTOR

Co. Nowicki offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Assistant Building Inspector #83111, which contains the name of Peter Beary,

NOW, THEREFORE, be it

RESOLVED, that Peter Beary, 53L Ridge Road, Valley Cottage, New York, is hereby appointed to the position of Assistant Building Inspector - Building Department - at the current 1986 annual salary of \$17,739., effective and retroactive to July 7, 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. (689-1986)

CREATING POSITION OF PLUMBING
INSPECTOR - BUILDING
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 4, 1986 that the position of Plumbing Inspector - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Plumbing Inspector - Building Department - is hereby created - Grade 27 - effective July 14, 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. (690-1986)

CREATING POSITION OF DEPUTY
RECEIVER OF TAXES AND
ASSESSMENTS - RECEIVER OF
TAXES OFFICE

Co. Nowicki offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 24, 1986, that the position of Deputy Receiver of Taxes and Assessments - Receiver of Taxes Office - can be created,

NOW, THEREFORE, be it

Continued on Next Page

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RESOLUTION NO. (690-1986) Continued

RESOLVED, that the position of Deputy Receiver of Taxes and Assessments - Receiver of Taxes Office - is hereby created - at the 1986 annual salary of \$16,000., effective July 14, 1986.

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. (691-1986)

GRANTING A SECOND PROVISIONAL APPOINTMENT TO POSITION OF REAL PROPERTY DATA COLLECTOR TO STEVEN SMITH - ASSESSOR'S OFFICE

Co. Maloney offered the following resolution:

RESOLVED, that Steven Smith, 7 Mazza Leone Court, Pomona, New York, is hereby granted a second provisional appointment to the position of Real Property Data Collector, Assessor's Office - at the current 1986 annual salary of \$13,972., effective July 10, 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. (692-1986)

APPOINTING JAMES HERSHBERGER TO THE POSITION OF MEMBER - PLANNING BOARD TO FILL UNEXPIRED TERM OF ROBERT CUNNINGHAM

Co. Carey offered the following resolution:

RESOLVED, that James Hershberger, 43 Sedge Road, Valley Cottage, New York, is hereby appointed to the position of Member - Planning Board - (to fill the unexpired term of Robert Cunningham) - term effective and retroactive to July 7, 1986 and to expire on January 3, 1988, at the current 1986 annual salary of \$3,000.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (693-1986)

APPOINTING ARNOLD AMSTER TO
THE POSITION OF MEMBER -
ZONING BOARD OF APPEALS

Co. Maloney offered the following resolution:

RESOLVED, that Arnold Amster, 4 Cygnet Lane, Valley Cottage, New York, is hereby appointed to the position of Member - Zoning Board of Appeals - at the current 1986 annual salary of \$1,250., term effective July 9, 1986 and to expire on July 8, 1991.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (694-1986)

ALLOWING RITA SAKOWICZ,
TYPIST, TOWN JUSTICE DEPT. TO
WORK LESS THAN FULL-TIME

Co. Maloney offered the following resolution:

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 July 7, 1986 to July 21, 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. (695-1986)

TRANSFERRING ARLYN MANZELLA,
SENIOR TYPIST FROM PERSONNEL
OFFICE TO PURCHASING
DEPARTMENT -

Co. Carey offered the following resolution:

RESOLVED, that Arlyn Manzella, 2 Demarest Court, West Nyack, New York, is hereby transferred from the Personnl Office to the Purchasing Department in the capacity as a Senior Typist - effective July 21, 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

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RESOLUTION NO. (696-1986)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS - BID #54-1986 - SALE OF
SURPLUS VEHICLES

Co. Maloney offered the following resolution:

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

BID #54-1986
SALE OF SURPLUS VEHICLES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, August
8, 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. 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. (697-1986)

ACCEPTING DECLARATION OF
RESTRICTIVE COVENANTS -
STUART MARVIN AND SALLY MARVIN

Co. Lettre offered the following resolution:

RESOLVED, that a Declaration of Restrictive Covenants
made by STUART MARVIN and SALLY MARVIN in connection with an
amendment to Appeal No. 1058 of the Zoning Board of Appeals
affecting premises known as Map 17, Block A, Lot 11 on the Tax Map
of the Town of Clarkstown 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. (698-1986)

AUTHORIZING SUPERVISOR TO
ENTER INTO AN AGREEMENT
EXTENDING THE CONTRACT
BETWEEN THE TOWN OF
CLARKSTOWN AND ARTHUR CONKLIN

Co. Carey offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to
enter into an agreement extending the contract between the Town of
Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to
provide services to the Building Department on an advisory and

RESOLUTION NO. (698-1986) Continued)

consultative basis, consistent with the terms of said contract for the period from May 14, 1986 to November 13, 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. (699-1986)

AMENDING ZONING ORDINANCE OF
THE TOWN OF CLARKSTOWN -
FAMILY DAY CARE HOMES -
AMENDING SECTION 106-10A

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Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of May, 1986, and amended on June 10, 1986, provided for a public hearing on July 8, 1986 at 8:00 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of 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 106-10A, Column 2, for R-80, R-40, R-22, R-15, and R-10 Districts, Tables 1, 2, 3, 4, 5, and 18, by adding Item "8" to read as follows:

"8. Family day care homes subject to the following performance standards:

(a) A suitable, safe, fenced or other enclosed play area shall be provided, located not less than 50 ft. from any street line or 25 ft. to any lot line. The play area shall include at least 200 sq. ft. per child. No play area may be in any required front yard.

(b) No building areas to be occupied by the children shall be within a required yard.

(c) At least one off-street parking space shall be provided for each staff member, and at least one space per every three (3) enrolled children.

(d) The family day care home shall be allowed only as accessory to a single-family detached residence. No family day care home shall be located on a lot that includes a two-family conversion.

(e) All licensing requirements of the Department of Social Services shall be met. The Certificate of Occupancy shall automatically terminate upon sale of the premises, or if the Department of Social Services license is revoked.

RESOLUTION NO. (699-1986) Continued

(f) No more than six (6) children shall be enrolled in the family day care home.

(g) In keeping with the State Uniform Building Code applicable to Chapter F - Housing Maintenance for home occupation and for accessory use - the maximum floor area shall be no more than twenty-five (25%) percent of the total floor area of the dwelling unit and in no event more than five hundred (500) square feet of the floor area.

Amend Section 106-3, to add Definition of "Family Day Care", as follows:

" FAMILY DAY CARE" - Day care in a family home shall mean day care of not more than six (6) children in a single-family detached residence."

and be it

FURTHER RESOLVED, that there is no adverse determination pursuant to SEQRA.

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. (700-1986)

AMENDING ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN AS FOLLOWS: AMEND SECTION 106-10(A), TABLE 8, COLUMN 4, ITEM 10; TABLE 14, COLUMN 4, ITEM 11; AND TABLE 15, COLUMN 4, ITEM 11 OF THE GENERAL USE REGULATIONS (DAY CARE CENTERS)

Co. Maloney 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 July 8, 1986 at 8:05 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 106-10(A), Table 8, Column 4, Item 10; Table 14, Column 4, Item 11; and Table 15, Column 4, Item 11 of the General Use Regulations, to add the following:

Continued on Next Page

RESOLUTION NO. (700-1986) Continued

"Day Care Centers, provided same comply with current or as amended day care center regulations of the New York State Department of Social Services, and such day care centers shall only care for the children of a person or persons currently employed with an organization that employs at least a minimum of 100 persons full time (35 hours per week), all of whom must be employed in one location on a site partially or entirely within the Town.

The day care center shall be accessory to the principal permitted use at the same site at which eligible employees are employed.

A suitable and safe outdoor play area shall be provided for each day care center, located not less than 100 feet from any street line or 50 ft. from any lot line or parking area. The play area shall include not less than 200 sq. ft. per child. No play area shall be located in any required front yard."

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

There being no further business to come before the Town Board and no one further wishing to be heard, the Town Board Meeting was declared closed, in memory of the death of Philip Frohling who served on the Town Board from 1959-1971, time: 8:51 P.M.

Respectfully submitted
Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

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TOWN OF CLARKSTOWN
PUBLIC HEARING

37

Town Hall

7/8/86

8:55 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO ZONING ORDINANCE TO TOWN CODE RE FAMILY
DAY CARE HOME

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.

Supervisor read correspondence from Gerald Colucci.

*From: Gerald D. Colucci, Building Inspector Date 7/8/86

To: Town Board

Subject: Family Day Care Home
Amendment to the Zoning Ordinance

1. As proposed, it is indicated that Table 18 (R-160) is included under the amendment. Do not believe that this was the intent.
2. Under 8 (d) "Day Care Center" should be corrected to read "Family Day Care Home".
3. (e) Question - the Special Permit?
This is not a special permit and should be corrected to read - Certificate of Occupancy.
4. In keeping with the State Uniform Building Code applicable to Chapter F - Housing Maintenance for home occupation and for accessory use - the maximum floor area shall be no more than 25% of the total floor area of the dwelling unit and in no event more than 500 square feet of floor area. This requirement should be added to the proposed amendment as Item 8 (g).

/s/ Gerald Colucci
Gerald D. Colucci, Bldg. Insp.

GDC/mr"

Supervisor Holbrook said that what he (Mr. Colucci) is proposing in Item 8(g) he is just questioning in terms of some of the terminology, I believe.

Co. Nowicki asked Bob Geneslaw if the Planning Board and the Building Inspector have the same intentions with regard to the suggestions of Mr. Colucci?

Mr. Geneslaw said that these suggestions were delivered this evening and I do not think that any member of the Planning Board is familiar with them. He said he had reviewed them during the course of the meeting. The first one is whether the Family Day Care should fit into R-160 zoning district. We thought that the Town Board intended to permit it in all the single family districts. Mr. Geneslaw said that as for 2, 3, and 4 we have no problem and I don't think the Planning Board will have a problem with it.

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Supervisor asked if there was any one that wished to address the Town Board on this item.

Appearance: Phyllis Hilburn
Director of the Rockland Council for
Young Children

She complimented the Town Board on their action regarding Day Care and said that she would suggest that they strike the terminology Day Care Center and it should be Family Day Care Home.

The Supervisor said that they would make the necessary changes in the resolution

On motion of Councilman Nowicki, seconded by Co. Maloney, the Public Hearing was CLOSED, RESOLUTION ADOPTED, time: 9:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(ADOPTED BY RESOLUTION NO. 699-1986)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/8/86

9:06

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO ZONING ORDINANCE TO TOWN CODE RE DAY CARE CENTERS

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

Supervisor asked if there was anyone wishing to appear to speak at this Hearing.

Appearance Charles Isberg

He said he is manager of Community Relations for Lederle Laboratories and he is happy to endorse this particular zoning amendment. He said that Lederle does have the first business, industrial oriented Day Care Center in Rockland. He stressed the importance of Day Care for the working parent and that the Town Board was setting a fine example in doing this and on behalf of Lederle he thanked the Board.

Appearance Madeline Stella
Branch Director, Suffern, YMCA

She said the program is a success. They are licensed and serve 36 children. They have a waiting list of over 50 children. She said there is a tremendous need for quality Day Care. She would urge the Board to facilitate the development of other corporate Day Cares.

Appearance: Phyllis Hilburn
Rockland Council For Young Children

She said that they have had 15 requests from Lederle employees who are not able to fit into the Day Care Center and would hope that this amendment would help establish a vitally needed service. She said they only get 15 of those people on the waiting list and she does not know what the other people are doing.

Appearance: Henry Horowitz
New City

He said he was addressing the legal aspect of this. He said all of us are in favor of what's being proposed. He said he just wanted to make sure we don't legalize the issues that you don't want. He said we are allowing this to go in zones of LO, LIO, and M. The Day Care Centers are now solely for the children of employees. In order to make sure that we have quality control, we have to set it up so that the organization has at least 100 employees and probably the most important thing is requiring a conformance to New York State Department of Social Service Regulations. He said he is concerned that they threw it into the column which requires a special permit of the Town Board. I want it to come in as an accessory use by right once it meets all the requirements. He said to put it in column 4 instead of column 3.

Supervisor asked if there was anyone else who had any comments.

No one appeared.

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On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was CLOSED, RESOLUTION ADOPTED, time: 9:18 P.M.

Respectfully submitted .

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. 700-1986 ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/8/86

9:20 P.M.

Present: Supervisor Holbrook
Councilman Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO ZONING ORDINANCE TO TOWN CODE RE RESTAURANTS

On motion of Councilman Carey, seconded by Councilman Nowicki 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.

"June 26, 1986

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

Gentlemen: TB REFERRAL: PROPOSED AMENDMENT TO Z.O. TO
ALLOW FOR RESTAURANTS BY RIGHT OR
BY SPECIAL PERMIT IN LIO DISTRICT.

At the Planning Board meeting of June 25, 1986 Member Yacyshyn made a motion which was seconded by Schweitzer and carried 5:0 with Ayes of Smith, Nest and Paris approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board reaffirms the original recommendation sent to the Town Board 11/6/85 in that restaurants not be permitted by right in the LIO zone, but does not object to allowing restaurants by Special Permit subject to conditions set forth in Planning Consultants' letter to Town Board 5/23/86.

Very truly yours,
/s/ Richard J. Paris
Richard J. Paris, P.E.
Chairman

cc: Town Attorney
Town Clerk

att."

Supervisor asked Mr. Geneslaw if it is permitted in the LIO zone.

Mr. Geneslaw said it is permitted associated with indoor tennis clubs and health clubs.

Supervisor said but not with industrial.

Co. Carey asked how the 25% of the floor ratio is arrived at that seems a little high to me?

Mr. Geneslaw said they tried to look at several possible situations: One for example, might be a four story office building occupied by single tenants which they might want to have a cafeteria on the ground floor in that case the lobby area would be about 25%

Co. Lettre said maybe you should come up with 25% or X

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amount of square footage. He thought it should include 25% or maximum square footage.

Supervisor asked if there was anyone from the public that would like to address this particular issue.

Appearance: John Lodico
New City

He spoke regarding the closing of the Theater Go-Round as a tax rateable because it is now a church and said that it is within 300 feet of an establishment selling liquor. With this proposal is this going to work in the opposite direction.

Supervisor said that the decision on this would be made on August 12.

On motion of Councilman Carey, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was closed, and DECISION RESERVED, time: 9:30 P.M.

Respectfully Submitted

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/8/86

9:31 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: VIOLATION OF CHAPTER 31 OF TOWN CODE - BARBARA WEST

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the hearing was declared open.

Mark Papenmeyer was sworn in and testified that an inspection was made on February 26, 1986 and on the premises located at 418 Storms Road, Valley Cottage, New York, designated as Map 122, Block A, Lot 24, it reveals that the remains of two structures which have been destroyed by fire and two other unoccupied buildings on the premises. The debris of one of the fire remains on the site and is blocking access to the two remaining unoccupied structures on the premises. Remaining unoccupied structures appear to have been a garage and a small barn. Both structures have open doors and windows and interiors both contain litter, debris and other combustibles. They are surrounded by high and dense vegetation and have not been used in years. Access to these buildings are up a steep winding long drive. A large distance from the roads. Two unoccupied buildings as well as the remains of the buildings destroyed by fire should be removed for the safety and welfare of the community. They pose a serious fire hazzard, severe disservice and attraction to minors and other trespassers. We've had previous fires on these premises and we have two buildings that have been left unoccupied.

Supervisor asked Mr. Pappmeyer how long this has been going on.

Mr. Papenmeyer said it has been going on for a number of years. The last fire was in February in one of the buildings and at that time we issued a violation to remove the remaining buildings.

Supervisor asked if anyone on the Board wished to question Mr. Papenmeyer. No one had any questions. Supervisor asked if there was anyone representing the property owner. No one appeared.

There being no one further wishing to be heard and no futher testimony given on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the hearing was declared closed, time: 9:35 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

ABE633

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

7/8/86

9:36 P.M.

Present: Supervisor Holbrook
Councilmen Carey, Lettre, Maloney, Nowicki
Paul Nowicki, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: VIOLATION OF CHAPTER 31 OF TOWN CODE RE ANGERLAND
DEVELOPMENT CORP

On motion of Councilman, Maloney, seconded by Councilman Nowicki and unanimously adopted, the hearing was declared open.

Mark Papenmeyer was sworn in and testified that this request is for the premises located at 253 West Route 59, Nanuet, New York, designated as Map 163, Block B, Lot 25, commonly known as the Ashley Motor Court. Inspection reveals two unoccupied structures on the premises. First being an abandoned motel and second being a small garage in the rear. Condition of the motel shows that four attempts have been made to secure the building from previous violations. The use of dimensional lumber rather than plywood or other large sheeting material failed to adequately secure the openings. Many doors and windows are open or partially open. Many broken with panels and or glass missing. One room has been destroyed by fire and is open to the elements through the roof. The garage is also not properly secured with openings at the door. These openings make it very easy for any trespasser or vagrant to gain entrance. Based on the condition of these buildings and the unsuccessful attempts to maintain the building secured, it appears a fire hazzard and for the safety and welfare of the community, it is recommended that these buildings be removed because they are no longer fit to be used for the purpose for which they were intended.

As of today, gentlemen, the building has been demolished. It is my request at this point that the Town Board stipulate that the debris be removed within a two week period.

The Supervisor asked if the Board had any questions of Mr. Papenmeyer.

Councilman Carey asked at whose expense?

Supervisor said at the owner's.

Mr. Papenmeyer said that if they failed to clean it up within the two week period, then we would go in.

There being no one further wishing to be heard and no further testimony given on motion of councilman Maloney, seconded by Councilman Carey and uananimously adopted, the hearing was declared closed , time: 9:39 PM.

Respectfully submitted

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION PASSED SUBSEQUENTLY WITHDRAWN)

ABE633