

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

8/12/86

8:00 P. M.

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

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

Supervisor opened the Public Portion of the meeting.

Appearance: Rose Ann Gross  
New Lake Road & Kings Highway  
Valley Cottage, New York

Ms. Gross spoke regarding traffic light at intersection  
of New Lake Road, Valley Cottage.

Appearance: Harry Baker  
40 Cypress Lane  
New City, New York  
and  
Mr. Gene Gemazzi  
42 Cypress Lane  
New City, New York

Mr. Baker spoke in behalf of himself and his neighbor  
Mr. Gemazzi regarding the flood damage and the replacement of the  
culvert on Old Route 304.

John Cuff  
Pheasant Drive  
West Nyack, New York

Mr. Cuff questioned item 49-A.  
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On motion of Councilman Maloney, seconded by Councilman  
Nowicki and unanimously adopted, the Public Hearing re: Extension  
of Clarkstown Consolidated Water Supply District No.1 - Long Clove  
Road Associates, Inc. was opened, time: 8:12 P.M.

On motion of Councilman Maloney, seconded by Councilman  
Nowicki and unanimously adopted, the Public Hearing re: Extension  
of Clarkstown Consolidated Water Supply District No. 1 - Long Clove  
Road Associates, Inc. was closed, ORDER SIGNED, time: 8:13 P.M.

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On motion of Councilman Maloney, seconded by Councilman  
Carey and unanimously adopted, the Public Hearing re: Designating an  
Historical Site at 16 Phillips Hill Road, New City, New York was  
opened, time: 8:14 P.M.

On motion of Councilman Lettre, seconded by Councilman  
Maloney and unanimously adopted, the Public Hearing re: Designation  
of house at 16 Phillips Hill Road as an Historical site was closed.  
(ADOPTED), time: 8:15 P.M.

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RESOLUTION NO. (701-1986) DESIGNATING 16 PHILLIPS HILL  
ROAD, NEW CITY (MAP 60, BLOCK  
A, LOT 7) A HISTORICAL SITE

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by  
resolution adopted on the 24th day of June, 1986, provided for a  
public hearing on the 12th day of August, 1986 at 8:05 P.M., to

Continued on next page

RESOLUTION NO. (701-1986) continued

consider the designation of 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, as an Historical Site pursuant to Section 12-3(C) of the Code of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the aforementioned house located at 16 Phillips Hill Road, New City, New York, be and the same hereby is designated as an Historical Site, and be it

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

Seconded by Co. Carey

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. (702-1986)

ACCEPTING PROPOSAL FROM  
ORANGE & ROCKLAND UTILITIES,  
INC. FOR STREET LIGHTING AT  
ANN POWER SUBDIVISION, VALLEY  
COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the Director of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc. for street lighting at the following location:

Ann Power Subdivision , Valley Cottage

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. (703-1986)

ACCEPTING PROPOSAL FROM  
ORANGE & ROCKLAND INC. FOR  
STREET LIGHTING AT TALL  
PINES, NEW CITY

Co. Maloney offered the following resolution:

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RESOLUTION NO. (705-1986)

ACCEPTING MINUTES OF TOWN  
BOARD MEETING OF JUNE 24,  
1986 AND SPECIAL TOWN BOARD  
MEETING OF JUNE 25, 1986

Co. Carey offered the following resolution.

RESOLVED, that the minutes of the regular Town Board meeting of June 24, 1986 and the special Town Board meeting of June 25, 1986 are hereby accepted as submitted by the 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

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RESOLUTION NO. (706-1986)

SETTING DATE FOR PUBLIC  
HEARING RE: EXTENSION OF  
CLARKSTOWN CONSOLIDATED  
WATER SUPPLY DISTRICT NO. 1  
(CONGERS CORNERS-BERGSTOL)

Co. Maloney offered the following resolution

WHEREAS, a written Petition dated July 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 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 23rd day of September, 1986, at 8:32 P.M. E.S. time 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.

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. (707-1986)

SETTING PUBLIC HEARING RE:  
EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT #1 TO INCLUDE  
(MARIA ESTATES)

RESOLUTION NO. (707-1986) continued

WHEREAS, a written Petition dated July 17, 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 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 23rd day of September 1986, at 8:35 P M. E.S.time 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.

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. (708-1986)

SETTING DATE FOR PUBLIC HEARING FOR ZONE CHANGE PETITION (ALFRED & EILEEN ROSSI)

Co. Nowicki offered the following resolution:

WHEREAS, ALFRED T. ROSSI and EILEEN ROSSI, have petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town of Clarkstown be amended by redistricting property from a PO District to an R-10 District;

NOW, THEREFORE, be it

RESOLVED, on the Motion of the Town Board of the Town of Clarkstown that the proposal for a change of zoning from a PO District to an R-10 District, on property designated on the Clarkstown Tax Map as: Map 163, Block A, Lots 3, 5, 5.01, 5.02, 5.03, 6, 7, 8, 9, 10, 18, and 21.01, be scheduled for a public hearing, and be it

FURTHER RESOLVED, that such public hearing, pursuant to Sections 264 and 265 of the Town Law, be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, on the 23rd day of September, 1986 at 8:25 P.M., relative to the proposed amendment, and be it

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

Seconded by Co. Maloney

ABE633

RESOLUTION NO. (708-1986) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (709-1986)

SETTING DATE FOR PUBLIC  
HEARING ON ZONE CHANGE  
RECOMMENDATION OF THE  
PLANNING BOARD AND REFERRING  
THIS MATTER TO THE CLARKSTOWN  
AND COUNTY PLANNING BOARDS

Co. Nowicki offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown has recommended to the Town Board that the Zoning Ordinance of the Town of Clarkstown be amended by redistricting property from a PO District to an R-15 District, or in the discretion of the Town Board, in the alternative from a PO District to an R-10 District;

NOW, THEREFORE, be it

RESOLVED, on the Motion of the Town Board of the Town of Clarkstown that the proposal for a change of zoning from a PO District to an R-15 District, or in the alternative from a PO District to an R-10 District on property designated on the Clarkstown Tax Map As: Map 163, Block A Lots 3, 4, 5, 5.01, 5.02, 5.03, 6, 7, 8, 9, 10, 11 (part of), 11.01, 11.02, 18, 21 and 21.01, be scheduled for a public hearing, and be it

FURTHER RESOLVED, that such public hearing, pursuant to Sections 264 and 265 of the Town Law, be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York on the 23rd day of September 1986 at 8:25 P.M. relative to the proposed amendment, and be it

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

FURTHER RESOLVED, that this proposed zone change is hereby referred to the Rockland County Planning Board, and other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, 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 Planning Consultant of the Town of Clarkstown is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (710-1986)

AUTHORIZING SPRING VALLEY  
WATER CO. TO INSTALL 1  
HYDRANT E/S RODEO DRIVE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the  
Director of Environmental Control, the Spring Valley Water Company  
is hereby authorized to install:

One (1) hydrant as follows:

E/S Rodeo Drive, 200 feet north from the centerline of  
Buena Vista Road

Investigation No. 9800, and be it

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

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RESOLUTION NO. (711-1986)

AUTHORIZING SPRING VALLEY  
WATER CO. TO INSTALL 1  
HYDRANT N/S SOUTH MOUNTAIN  
ROAD

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Director of Environmental Control, the Spring Valley Water Company  
is hereby authorized to install:

One (1) hydrant as follows:

N/S South Mountain Road, approximately 650 feet east  
from the centerline of Kakiak Court

Investigation No. 9959, and be it

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

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RESOLUTION NO. (712-1986)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT WITH  
HOWARD LAMPERT, TRAFFIC  
ENGINEERING CONSULTANT, ON A  
RETAINER BASIS, TO PROVIDE  
SERVICES TO CLARKSTOWN

ABE633

RESOLUTION NO. (712-1986) continued

Co. Maloney offered the following resolution:

WHEREAS, HOWARD L. LAMPERT, Traffic Engineering Consultant, has submitted a proposal dated July 7, 1986 to provide traffic engineering and consulting services to the Town of Clarkstown on an on-going retainer basis at the rate of \$60.00 per hour, and

WHEREAS, the Town Board deems it in the interest of public safety to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with Howard L. Lampert to provide traffic engineering and consulting services to the Town of Clarkstown on a retainer basis to be paid at the rate of \$60.00 per hour for a period of one (1) year, provided that the agreement may be terminated on thirty (30) days notice by the Town, and be it

FURTHER RESOLVED, that said sum 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

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RESOLUTION NO. (713-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT RE:  
LAKEWOOD DRIVE, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways, John O'Sullivan, is hereby authorized to implement the following:

Lakewood Drive - Congers

1. On sharp curve near Randi Lane (see Collison Diagram) should be posted with a 20 MPH Advisory Speed sign in both directions.
2. In addition, wrong warning sign has been installed in both directions for the sharp turn in the road. It should be posted with a more severe Left (or Right) Turn signs (W1-1C or W1-2C) instead of the less severe Left (or Right) Curve signs (W1-3C or W1-4C).
3. Owner of fence on southwest corner of Lakewood Drive and Randi Lane should be told to relocate it away from the intersection or reduce its height in the vicinity of the intersection to 36 inches.
4. Bring existing Heavy Post Corrugated Beam Guide Rail presently in place just sothwest of Randi Lane up to present safety standards as follows:

RESOLUTION NO. (713-1986) continued

- 1) Add additional posts halfway between the existing posts to provide 6'3" post spacing.
- 2) Add offset beams on all of the guide rail posts to avoid pocketing vehicles.
- 3) Curve back and bury the ends of the rail in concrete using offset angle pieces on lowered posts to avoid vehicles becoming impaled at the ends. (See enclosed drawings to show proper way to install this guide rail.)
- 5. Trees and shrubs should be pruned back around the curve near Randi Lane so they do not extend past property lines.
- 6. Install a Stop sign on Randi Lane at its intersection with Lakewood Drive.
- 7. The school crosswalk at Lakeland Avenue should be striped. In addition, "School Child" signs, which give advance notification of the school crossing, should be installed approximately 200 ft. before the school crosswalk.
- 8. Signs with the legend "Town Speed Limit 30" should be placed on Lakewood Drive west of Route 9W and east of Route 303. The same signs should be installed east of Route 303 on Fisher Lane, Randi Lane, and Scandia Road.
- 9. The present signs on Lakewood Drive are obsolete and legally unenforceable for preventing trucks from using Lakewood Drive as a shortcut between Route 9W and 303. Also the weight limit should be lowered to 3 Tons. Sign assemblies with the legend "Weight Limit 3 Tons" and "Except Local Delivery" should be installed on Lakewood Drive west of Route 9W and east of Route 303. These sign assemblies should also be installed east of Route 303 and Fisher Avenue, Randi Lane and Scandia Road.
- 10. It is recommended that a sidewalk be installed on the west side of Lakewood Drive.
- 11. In addition to the necessary speed limit and weight limit signs already mentioned, it is recommended that Stop signs be installed at the following locations:
  - Scandia Road - WB at Route 303  
EB at Lakewood Drive
  - Fisher Avenue - WB at Route 303
  - Randi Lane - WB at Route 303  
EB at Lakewood Drive (already mentioned)
  - Hilltop Road - EB at Route 303
- 12. The four-way intersection sign located on Randi Lane approaching Route 303 is improper and should be removed.

BE IT ALSO RESOLVED, that Orange & Rockland Utilities be requested to relocate Poles #9 and #10 on Lakewood Drive to the edge of the right-of-way at no cost to the Town.

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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ABE633

RESOLUTION NO. (714-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT RE:  
MALLARD DRIVE, WEST NYACK

Co. Maloney offered the following resolution

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways is hereby authorized to implement the following:

MALLARD DRIVE - WEST NYACK

Curves on Mallard Drive should be posted with a sign assembly consisting of a "Reverse Turn" warning sign (W1-5C) and a "15 MPH" advisory speed sign (W9-1X).

These signs should be located eastbound just east of Cardinal Court and northbound south of Mandarin Lane.

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. (715-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT RE:  
BROOKSIDE AVENUE AND  
BROOKRIDGE DRIVE, VALLEY  
COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways, John O'Sullivan, is hereby authorized to implement the following:

Brookside Avenue and Brookridge Drive, Valley Cottage

1. Make Brookside Avenue a one-way eastbound street from Brookridge Drive to Route 303. (recommended signing for this regulation is shown on attached sign list).

2. The two right-angle turns have a recommended speed of 10 MPH. However, these turns are not presently signed with any advisory speed and the existing warning signs are improper. It is recommended that these curves be signed with a sign assembly consisting of a "Reverse Turn" warning sign and a "10 MPH" advisory speed sign. The existing non-conforming signs should be removed. If the previous recommendations to make this street one-way is adopted, then the curve would only have to be signed in one direction, as shown on attached sign list.

3. Reverse turn on Brookside Avenue encompasses most of the street from Brookridge Drive to Route 303. If this curve is properly posted with a "10 MPH" advisory speed sign, there would be no need for the 20 MPH speed limit requested.

RESOLUTION NO. (715-1986) continued

4. Existing Heavy Post Guide Rail located on Brookside Avenue does not meet current safety standards. The maximum post spacing should be decreased from 12'6" to 6'3", offset blocks should be installed on the posts and the ends should be buried. At driveways and other similar openings, driveway anchor units can be installed. (Attached are sheets showing Driveway Anchor Units and other details as guidelines).

5. Immediately adjacent to the guide rail on the curve on Brookside Avenue, the gully and area should be regraded and topped with asphalt to avoid it washing away in the future.

6. Object marker signs should be installed approaching the culvert abutments on Brookside Avenue;

7. It is recommended that the rock outcropping on the north side of the intersection of Brookside Avenue and Route 303 be removed.

8. A sign with the legend "Town Speed Limit 30" should be installed on Brookridge Drive at its intersection with Route 303. Also, the branches in front of the Stop sign at this location should be cut back.

9. The reverse turn on Brookridge Drive should be posted in each direction with a sign assembly consisting of a "Reverse Turn" warning sign and a "15 MPH" advisory speed sign.

10. Near Brookside Avenue the existing sharp turn is improperly posted with a curve warning sign without any advisory speed sign - it should be posted with a sign assembly consisting of a "Right Turn" or "Left Turn" sign, depending upon direction, and a "15 MPH" advisory speed sign.

11. At the Burgundy Apartments on the north side of Brookridge Drive, it is recommended that the trees be cut back and the parking space closest to Brookside Drive be removed, if possible. It is also recommended that "Stop" signs be installed on all three apartment or condominium access roads at their entrance to Brookridge Drive

12. It is recommended that a weight limit of 3 tons except for local delivery be approved for Brookside Avenue and Brookridge Drive. (A complete listing of all the recommended signs described is on the attached list).

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. (716-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT, RE:  
TENNYSON DRIVE AND PARKSIDE  
AVENUE

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (716-1986) continued

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways, John O'Sullivan, is hereby authorized to implement the following:

TENNYSON DRIVE AND PARKSIDE AVENUE

1. It is recommended that in the area of the playgrounds that a 30" x 30" "Playground" symbol sign, NYS Sign #7-5C, be installed on the right side of each roadway approach in advance of the playgrounds. (See drawing attached of playground symbol sign). The signs should be located as follows:

- (a) WB on Tennyson Drive W/O Fulton Street
- (b) EB on Tennyson Drive 200+ Ft. W/O the Playground
- (c) WB on Parkside Drive W/O Kings Highway
- (d) EB on Parkside Drive 200+ Ft. W/O the Playground

2. It is recommended that 24" x 30" "Keep Right" signs R4-6C, be installed in both ends of the median on Tennyson Drive.

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. (717-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT, RE:  
TRAFFIC SIGNS - FOREST BROOK  
SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways, John O'Sullivan, is hereby authorized to implement the following:

Traffic Signs - Forest Brook Subdivision

1. Vehicle speeding on the reverse curve on Forest Brook Road between Pascack Road and Spring Brook Road - the reverse curve mentioned is not presently signed. It should be signed in each direction with a "Reverse Turn" (NYS #W1-6C) warning sign and a "20 MPH" (W9-1X) Advisory Speed sign. Eastbound, the sign assembly should be installed approximately 200 feet east of Spring Brook Road. Westbound, the sign assembly should be located where the existing "No Outlet" is placed and the "No Outlet" sign should be located near Pascack Road. In addition, "Keep Right" signs (#R4-6C) should be installed at both ends of the median.

2. It is recommended that a "No Parking Anytime" sign with a double arrow (NYS #P1-C or P1-2C) be installed on Pascack Road on the southwest corner of Forest Brook Road.

Seconded by Co. Nowicki

RESOLUTION NO. (717-1986) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (718-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT,  
RE: KINGS HIGHWAY FROM  
CONGERS ROAD TO STORMS ROAD,  
VALLEY COTTAGE.

ABE633

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of Howard Lampert, Traffic & Highway Engineering Consultant, the Superintendent of Highways is hereby authorized to implement the following:

KINGS HIGHWAY FROM CONGERS ROAD TO STORMS ROAD, VALLEY COTTAGE

1. A traffic signal be installed at this intersection. This signal should be a three phase signal with a left turn arrow for southbound traffic on Kings Highway turning into New Lake Road. Also to account for the varying traffic flows, the traffic signal should be actuated with detectors placed on New Lake Road and Karin Court.

2. The two tall shrubs on the northeast corner need to be relocated further back from the intersection or be removed. At the northwest corner the boulder and several large rocks over 36" above the pavement height should be removed. Stop bars need to be installed on both New Lake Road and Karin Court. Pending the installation of the traffic signal recommended above, the Stop sign on New Lake Road should be moved closer to Kings Highway and a Stop sign should be installed on Karin Court.

Intersection of Kings Highway and Old Lake Road

3. No standing signs should be installed directly in front of Stop sign on Old Lake Road and a stop bar for the Stop sign should be installed. No Standing signs should be installed on Kings Highway alongside Mr. Rips where trucks have been seen unloading. The existing No Parking signs in the area should have arrows to define their limits.

Kings Highway from Storms Road to the Railroad Tracks

4. A curb and sidewalk should be constructed along the east side of Kings Highway from Old Lake Road to at least Abbey Lane. The breaks in the concrete sidewalk in the vicinity of the stores along the east side of Kings Highway north of Old Lake Road should be completed.

5. The obsolete truck restriction signs should be replaced with proper signs that are in conformity with the New York State Manual of Uniform Traffic Control Devices.

6. Sign assemblies with the legends "Weight Limit 3 Tons" and "Except Local Delivery" be installed for northbound traffic north of Storms Road and for southbound traffic south of New Lake Road.

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RESOLUTION NO. (718-1986) continued

7. A route marker assembly with the legends "TO", "NY 303" and a left turn arrow could be installed on southbound Kings Highway just north of New Lake Road. This route marker assembly could possibly be obtained by contacting the local residency of the NYS Dept. of Transportation.

Kings Highway from the Railroad Tracks to Gilchrest Road

8. To improve sight distance and reduce accidents, the shrubs and trees on the northwest corner must be cut back or removed.

9. The newly installed advisory speed plate on the northbound curve warning sign in the vicinity of Jeffery Place has the incorrect speed of 30 MPH. This sign should be changed to 20 MPH.

10. School warning signs and school speed limit in vicinity of Gilchrest Road were not properly signed in conformity with New York State Manual of Uniform Traffic Control Devices. Copy of recommendations for improving these signs is attached.

Kings Highway from Gilchrest Road to Congers Road

11. In vicinity of Congers Elementary School, cross walk on Kings Highway should be repainted.

12. One section of fence between the school driveway and the adjacent real estate office should be removed.

13. School crosswalk is improperly signed. For southbound traffic, the School Crossing sign (W6-2C) should be moved to the school crosswalk. For northbound traffic, School Child sign (W6-1C) should be added approximately 200 feet south of the school crosswalk and the School Crossing sign should be relocated to the School Crossing.

14. Pedestrian Crossing signs in advance of the crosswalk at Pondview Drive are improper. They should be changed to the Pedestrian Crossing Ahead signs (W5-2D).

15 "Town Speed Limit 30" signs (R2-6C) be installed at the following locations:

- (a) Southbound south of Congers Road
- (b) Northbound north of Old Mill Road
- (c) Southbound south of Old Mill Road
- (d) Northbound north of the railroad tracks
- (e) Southbound south of New Lake Road
- (f) Northbound north of Storms Road

These signs are in addition to the Speed Limit signs previously mentioned that are needed in the vicinity of the parochial school near Gilchrest Road.

Truck Weight Restrictions

16. A three ton weight limit except for local delivery be instituted on Kings Highway from the railroad tracks north to Congers Road. To post this regulation, sign assemblies consisting of signs with the legends "Weight Limit 3 Tons" (R5-1C) and "Except Local Delivery" (R7-3W) should be placed at these two end locations.

BE IT FURTHER RESOLVED, the Supt. of Highways for the County of Rockland, Joseph Hornik, be requested to implement the following:

Continued on Next Page

RESOLUTION NO. (718-1986) continued

In the area of Kings Highway from Gilchrest Road to Congers Road in Valley Cottage, the asphalt sidewalk on the west side of Kings Highway should be extended the short distance from the school crosswalk at the Congers Elementary School to Congers Road.

BE IT FURTHER RESOLVED that the New York State Department of Transportation be requested to install a left turn arrow on Route 303 at Lake Road in Congers.

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. (719-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT TRAFFIC  
RECOMMENDATIONS OF TRAFFIC  
ENGINEER, HOWARD LAMPERT RE:  
TRUCK WEIGHT RESTICTIONS,  
VALLEY COTTAGE

Co. Maloney offered the following resolution:

Truck Weight Restrictions - Valley Cottage

1. It is recommended that the 3 Ton weight limit should apply to Kings Highway from the railroad tracks in Valley Cottage to Congers Road. Although this regulation could be posted by signing each street entering this section of Kings Highway, a smaller number of signs could be used by prohibiting thru trucks over 3 tons from the whole area between Route 303 and Lake De Forest from Congers Road to north of Old Lake Road. In this case, the sign assembly consisting of Weight Limit 3 Tons" (R5-1C) and "Except Local Delivery" (R7-3W) would have to be posted only at the following additional locations:

- NB Kings Highway S/O the Railroad Tracks
- SB Kings Highway, S/O Congers Road
- SB Grant Ave. S/O Lake Road
- SB Congers Ave. S/O Lake Road
- SB Harrison Ave. S/O Lake Road
- WB Gilchrest Roat W/O Route 303

2. It is recommended that the weight limit restriction on all of the signs be changed to 3 Tons to unify all of the weight limit rstrictions at this lower weight limit.

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. (720-1986)

AUTHORIZING PAYMENT RE:  
PROFESSIONAL SERVICES -  
(HOWARD LAMPERT)

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board entered into an agreement with Howard L. Lampert, P.E., Traffic Engineering Consultant, to provide a traffic safety study for each of the following locations:

- Emerald Terrace, Valley Cottage
- Blauvelt Road, Nanuet
- Mallard Drive, West Nyack
- Brookside Avenue & Brookridge Drive, Valley Cottage
- Forest Brook Subdivision, Spring Valley
- Tennyson Drive, & Parkside Avenue, Nanuet
- Striping on Main Street, New City

RESOLVED, that payment be authorized in the sum of \$1,160.00 to Howard L. Lampert, P. E., for preparation of the above accepted traffic studies.

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. (721-1986)

AUTHORIZING TRAFFIC STUDY BY  
HOWARD L. LAMPERT, TRAFFIC  
ENGINEER RE: (PHILLIPS HILL  
ROAD, NEW CITY)

Co. Nowicki offered the following resolution:

RESOLVED, that Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant, is hereby directed to investigate the traffic, school crosswalk locations, and pedestrian conditions on Phillips Hill Road, New City, New York from North Main Street west to Little Tor Road, and submit a traffic study with respect to traffic control improvements.

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. (722-1986)

SETTING PUBLIC HEARING ON  
PROPOSED AMENDMENTS TO THE  
ZONING ORDINANCE OF THE TOWN  
OF CLARKSTOWN PURSUANT TO  
SECTION 264 OF THE TOWN LAW

Co. Carey offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended, and

WHEREAS, the Town Board of the Town of Clarkstown desires to further amend said Zoning Ordinance;

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RESOLUTION NO. (722-1986) continued

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of September, 1986, at 8:30 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown:

Amend Table 1, General Use Regulations, R-80 District;

Section 106-10A, Column 2, Item "6" from:

"6. Fire, police, and similiar public buildings."

to read as follows:

"6. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 1, General Use Regulations, R-80 District;

Section 106-10A, Column 3, Item "2" from:

"2. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"2. Community centers, libraries, museums, art galleries and similar facilities."

Amend Table 2, General Use Regulations, R-40 District;

Section 106-10A, Column 2, Item "6" from:

"6. Fire, police and similar public buildings."

to read as follows:

"6. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 2, General Use Regulations, R-40 District;

Section 106-10A, Column 3, Item "2" from:

"2. Commmunity centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"2. Community centers, libraries, museums, art galleries and similar facilities."

Amend Table 3, General Use Regulations, R-22 District;

Section 106-10A, Column 2, Item "6" from;

"6. Fire, police and similar public buildings."

Continued on next page

ABE633

RESOLUTION NO. (722-1986) continued

to read as follows:

"6. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 3, General Use Regulations, R-22 District;

Section 106-10A, Column 3, Item "2" from:

"2. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"2. Community centers, libraries, museums, art galleries and similar facilities."

Amend Table 4, General Use Regulations, R-15 District;

Section 106-10A, Column 2, Item "6" from:

"6. Fire, police and similar public buildings."

to read as follows:

"6". Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 4, General Use Regulations, R-15 District;

Section 106-10A, Column 3, Item "2" from:

"2. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"2. Community centers, libraries, museums, art galleries and similar facilities."

Amend Table 5, General Use Regulations, R-10 District;

Section 106-10A, Column 2, Item "6" from:

"6. Fire, police and similar public buildings."

to read as follows:

"6. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 5, General Use Regulations, R-10 District;

Section 106-10A, Column 3, Item "1" from:

"1. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"1. Community centers, libraries, museums, art galleries and similar facilities."

Continued on Next Page

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RESOLUTION NO. (722-1986) continued

Amend Table 6, General Use Regulations, RG-1 District;  
Section 106-10A, Column 2, Item "5" from:

"5. Fire, police and similar public buildings."

to read as follows:

"5. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 6, General Use Regulations, RG-1 District;  
Section 106-10A, Column 3, Item "1" from:

"1. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"1. Community centers, libraries, museums, art galleries and similar facilities."

Amend Table 7, General Use Regulations, RG-2 District;  
Section 106-10A, Column 2, Item "5" from:

"5. Fire, police and similar public buildings."

to read as follows:

"5. Fire, police, ambulance stations and other similar public safety buildings."

Amend Table 7, General Use Regulations, RG-2 District;  
Section 106-10A, Column 3, Item "1" from:

"1. Community centers, libraries, museums, art galleries and similar facilities and ambulance stations."

to read as follows:

"1. Community centers, libraries, museums, art galleries and similar facilities."

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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 as aforesaid and file proof thereof in the office of the said Clerk, and be it

FURTHER RESOLVED, that the above proposed amendment be referred to the Clarkstown Planning Board and Rockland County Planning Board for their recommendation and report.

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 Town Planning Consultant, Robert Geneslaw, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Nowicki

Continued on Next Page

ABE633

RESOLUTION NO. (722-1986) continued

At this time Donald Tracey, Esq. stated he was sure that the Town Board is not aware of the fact that the Zoning Board of Appeals is presently considering an interpretation of the very ordinance that you seek to amend. A hearing was held on that ordinance some time back and I missed the public participation in it. What you are proposing to do is to take a matter which is presently before the Zoning Board of Appeals for an interpretation and change it, therefore rendering the function of the Zoning Board of Appeals in this matter useless. My recommendation to the Board would be to let the Zoning Board of Appeals render its decision. However, if the ordinance is specifically aimed at eliminating the possibility of having a post office on a site in New City, then it will be up to the post office to decide whether or not they want to exercise their rights of sovereign immunity.

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. (723-1986)

AUTHORIZING SUPT. OF HIGHWAYS  
TO REMOVE VIOLATION ON PREMISES  
DESIGNATED AS MAP 163, BLOCK D,  
LOT 15 (PILLITERRI)

Co. Lettre offered the following resolution:

WHEREAS, by Resolution No. 566 dated June 10, 1986, the Town Board of the Town of Clarkstown has duly instituted proceedings pursuant to Chapter 79 of the Town Code of the Town of Clarkstown affecting property known and designed on the Clarkstown Tax Map as Map 163, Block D, Lot 15, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health and safety and welfare of the community, and

WHEREAS, a public hearing was duly held on August 12, 1986, after notice and opportunity to be heard at said hearing was provided to the owner of record of the above premises as provided by law;

NOW THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Section 79-3 of the Code of the Town of Clarkstown dated June 10, 1986, have not been corrected, and it is

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he is hereby authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Notice and Order, as directed by the Building Inspector if such condition continues uncorrected on or after June 30, 1986, and be it

FURTHER RESOLVED, that the expenses incurred by the Superintendent of Highways, Building Inspector and the Town Attorney with respect to such removal of debris and all other necessary action be assessed as a lien against the property and be it

Continued on Next Page

RESOLUTION NO. (723-1986) continued

FUTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Superintendent of Highways, Building Inspector and the Town Attorney.

Seconded by Councilman Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

Michael Ferdinand, (Map 120, Block A, Lot 21), Violation hearing. No action taken by Town Board as condition had been corrected.

\*\*\*\*\*

RESOLUTION NO.(724-1986)                      AUTHORIZING SUPERVISOR TO ENTER INTO SERVICE CONTRACT WITH SPRINGFIELD CONTROLS, INC. AND CHARGING TO APPROPRIATION ACCOUNT A 1620-438

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into a service contract with Springfield Controls, Inc. for the period of July 1, 1986 - June 30, 1987 at a cost of \$300.00 per quarter to be charged to Appropriation Account A 1620-438.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (725-1986)                      DECREASING APPROPRIATION ACCOUNT NO. A 1410-201 (TOWN CLERK-FURNITURE & FURNISHINGS) AND INCREASING APPROPRIATION ACCOUNT NO. A 1410-328 (BOOKS & PUBLICATIONS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1410-201 (Town Clerk-Furniture & Furnishing) and increase Appropriation Account No. A 1410-328 (Books & Publications) by \$290.00.

Seconded by Co. Nowicki

ABE633

RESOLUTION NO. (725-1986) 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. (726-1986)                    INCREASING APPROPRIATION  
ACCOUNT NO. DB 5110-443  
(HIGHWAY-EQUIPMENT RENTAL) BY  
\$50,000.00 AND DECREASING  
VARIOUS APPROPRIATION ACCOUNTS

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation account No. DB  
5110-443 (Highway-Equipment Rental) by \$50,000.00 and decrease  
the following Appropriation Accounts:

DB 5110-311 (Gasoline)	\$20,000
DB 5110-378 (Culverts, Pipes)	20,000
DB 5110-382 (Stone)	10,000

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. (727-1986)                    DECREASING APPROPRIATION  
ACCOUNT NO. A 1110-409 (JUSTICE  
COURT-FEES FOR SERVICES) AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1110-114  
(PART-TIME EMPLOYEES)

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 Employees) by  
\$1,100.

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. (728-1986)                    TRANSFERRING FUNDS - TOWN  
ATTORNEY'S OFFICE

Co. Maloney offered the following resolution:

RESOLUTION NO. (728-1986) continued

RESOLVED, to decrease the following Appropriation  
Accounts:

- A 1420-411 by \$ 50.00
- A 1420-414 by 750.00
- A 1420-404 by 117.00

and increase the following Appropriation Accounts

- A 1420-225 by \$850.00
- A 1420-301 by 27.00
- A 1420-328 by 40.00

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. (729-1986)                    DECREASING APPROPRIATION  
 ACCOUNT NO. 3120-409  
 (POLICE-FEES FOR SERVICES) AND  
 INCREASING APPROPRIATION  
 ACCOUNT NO. A 3120-203 (MOTOR  
 VEHICLE)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
3120-409 (Police-Fees for Services) and increase Appropriation  
Account No. A 3120-203 (Motor Vehicle) by \$7,000.00

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

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RESOLUTION NO. (730-1986)                    DECREASING APPROPRIATION  
 ACCOUNT NO. A 3020-110 (CENTRAL  
 COMMUNICATIONS-SALARIES) AND  
 INCREASING APPROPRIATION  
 ACCOUNT NO. A 3020-313 (OFFICE  
 SUPPLIES & PRTG.)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A  
3020-110 (Central Communications-Salaries) and increase  
Appropriation Account No. A 3020-313 (Office Supplies & Prtg.) by  
\$25.00

Seconded by Co. Nowicki

ABE633

RESOLUTION NO. (730-1986) 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. (731-1986)                    DECREASING APPROPRIATION  
 ACCOUNT A 5630-311 (GASOLINE)  
 AND INCREASING APPROPRIATION  
 ACCOUNT A 5630-406 (REPAIRS TO  
 VEHICLES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 5630-311 (Gasoline) by \$5,000.00 and increase Appropriation Account A 5630-406 (Repairs to Vehicles) by \$5,000.00

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. (732-1986)                    DECREASING APPROPRIATION  
 ACCOUNT B 8020-404 AND  
 INCREASING APPROPRIATION  
 ACCOUNT B 8020-313

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account B 8020-404 by \$600.00 and increase Appropriation Account B 8020-313 by \$600.00

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. (733-1986)                    SETTING PUBLIC HEARING ON  
 PROPOSED AMENDMENT TO ZONING  
 ORDINANCE OF THE TOWN OF  
 CLARKSTOWN- RESTAURANTS

Co. Carey offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended from time to time, and

RESOLUTION NO. (733-1986) continued

WHEREAS, the Town Board of the Town of Clarkstown is considering an amendment to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 7th day of October, 1986, at 8:15 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-10 A, Table 14, Column 3-B by adding to Item 6 as follows:

"6. Restaurant associated with indoor tennis club, health club, office, or industrial use, subject to Section 106-16 Q.

Amend Section 106-16, to add new Paragraph "Q" as follows:

"Q, Restaurant associated with indoor tennis club, office, or industrial use, subject to the following conditions:

- (1) Restaurants associated with offices or industrial uses shall be located on the same site as the primary office or industrial use, and shall be accessory to such uses.
- (2) Restaurants associated with office or industrial uses shall occupy no more than 25% of the total floor area on the lot or 2500 square feet, whichever is less.
- (3) No additional freestanding signs shall be permitted for restaurants associated with office or industrial uses.
- (4) No additional curb cuts shall be permitted for restaurants associated with office or industrial uses
- (5) All applicable bulk, lot and parking requirements shall be met.
- (6) Restaurants associated with office or industrial uses shall receive site plan approval from the Planning Board.
- (7) Restaurants associated with office or industrial uses shall provide at least one on-site parking space per 75 square feet of gross restaurant area. This parking area shall be in addition to the parking provided for the office or industrial use,"

and be it

FURTHER RESOLVED, that the above proposed amendments be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their recommendation and reports, and be it

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RESOLUTION NO. (733-1986) continued

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 Town Planning Consultant, Robert Geneslaw, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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, as aforesaid, and file proof thereof in the office of the said 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. (734-1986)

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH NYACK HOSPITAL FOR THE EMPLOYEES' ASSISTANCE PROGRAM WITH CHARGE MADE TO ACCOUNT NO. A 8840-424 (ECONOMIC ASSISTANCE-CONTRACTUAL AGREEMENTS)

Co. Lettre offered the following resolution:

WHEREAS, an agreement which was entered into on October 1, 1985 has expired and the Town Board wishes to renew same for a twelve (12) month period;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a renewal agreement with Nyack Hospital for the Employees' Assistance Program for a twelve (12) month period, and be it

FURTHER RESOLVED, that \$5,385.00 be charged to Account No. A-8840-424 (Economic Assistance-Contractual Agreements).

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. (735-1986)

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH ROBERT J. FINNEGAN AND ASSOCIATES, INC. APPROPRIATING FUNDS FROM ACCOUNT NO. A 1355-409 TO PAY FOR SERVICES PROVIDED

RESOLUTION NO. (725-1986) continued

Co. Carey offered the following resolution:

WHEREAS, a proposal dated May 6, 1986 has been made by ROBERT J. FINNEGAN AND ASSOCIATES, INC., to provide support services for the Office of the Tax Assessor for a one year period commencing on July 1, 1986 and ending on June 30, 1987 for the sum of \$84,000.00, and

WHEREAS, the Town Board wishes to obtain such services;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the sum of \$84,000.00 is hereby appropriated from Account No. A-1355-409 for pay for the services provided.

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. (736-1986)

AUTHORIZING THE SUPERVISOR TO OBTAIN THE SERVICE OF TECTONIC ENGINEERING CONSULTANTS - (INCREASING ACCOUNT NO. A 8730-409 AND REVENUE ACCOUNT NO. 011-3005

Co. Carey offered the following resolution:

WHEREAS, a drainage and property subsidence condition exists in the vicinity of 34 Jerrys Avenue, Nanuet, which may pose a public safety problem, and

WHEREAS, TECTONIC ENGINEERING CONSULTANTS has submitted a proposal dated July 10, 1986 to the Town of Clarkstown to conduct an engineering study to advise concerning the cause of said conditions and possible remedial measures;

NOW, THEREFORE, be it

RESOLVED, that Tectonic Engineering Consultants, P.O. Box 447, Highland Mills, New York, is hereby awarded the engineering study at a cost not to exceed \$1,800.00, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the above firm in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall be charged to Account No.A-8730-409, and be it

Continued on Next Page

ABE633

RESOLUTION NO. (736-1986) continued

FURTHER RESOLVED, that Account No. A-8730-409 be increased by \$1,800.00 and Revenue Account No. 01-3005 be increased by \$1,800.00

Co. Lettre stated he was at 34 Jerrys Avenue, Nanuet today. He feels that this resolution should be held up until the next workshop meeting. He would like to go out to view the premises with the Director of Environmental Control personally and any other members of the board who would care to do so. He finds it difficult to justify spending \$1800.00 on the report.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (737-1986)

AUTHORIZING ATTENDANCE AT  
POLICE CONFERENCE - CHIEF  
SCHNAKENBERG - CHARGE TO  
APPROPRIATION ACCOUNT NO. A  
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that George R. Schnakenberg, Chief of Police, Town of Clarkstown, is hereby authorized to attend the New York State Association of Chiefs of Police Annual Conference from August 24th through August 28th, 1986, in Albany, New York, and be it

FURTHER RESOLVED, that all proper charges be charged to Appropriation Account No. A1010-414.

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (738-1986)

AUTHORIZING ATTENDANCE AT  
INTERNATIONAL POLICE OLYMPICS -  
POLICE DEPT. PISTOL TEAM -  
CHARGE TO APPROPRIATION ACCOUNT  
A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the Town of Clarkstown Police Department Pistol Team will be competing in the International Police Olympics in Columbus, Ohio on August 13th and 14th, 1986.

Continued on Next Page

RESOLUTION NO. (738-1986) continued

FURTHER RESOLVED, that the amount of four hundred dollars be given to the Pistol Team to help defray expenses, to be charged to Appropriation Account A1010-414.

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. (739-1986)

SETTING A PUBLIC HEARING TO CONSIDER AMENDING THE OFFICIAL MAP OF THE TOWN OF CLARKSTOWN AND REFERRING SAME TO THE CLARKSTOWN AND COUNTY PLANNING BOARDS - CHARLES R. PEPE

ABE633

Co. Maloney offered the following resolution:

WHEREAS, a recommendation has been made by the Planning Board, that the Town Board of the Town of Clarkstown take action pursuant to Section 273 of the Town Law to amend the Official Map of the Town of Clarkstown to place on said map a cul-de-sac leading from the proposed Route 45 tunnel by-pass road to the property owned by Charles R. Pepe, 120 North Pascack Road, Spring Valley, and designated on the Clarkstown Tax Map as: Map 165, Block A, Lot 3.2, as shown on the attached sketch (Schedule "A");

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on October 7, 1986 at 8:10 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider amending the Official Map of the Town of Clarkstown, and be it

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

FURTHER RESOLVED, that the Town Attorney shall fulfill the additional requirements of Section 106-32(c) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred (500) feet of the affected property, 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, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their report and recommendation.

Seconded by Co. Carey

Continued on Next Page

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. (740-1986)                    AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT RECOMMENDATIONS OF  
TRAFFIC AND TRAFFIC FIRE SAFETY  
ADVISORY BOARD RE: NORWOOD ST.,  
AND PELHAM AVENUE, NANUET

Co. Maloney offered the following resolution:

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

A sign to read, "30 MPH area speed" as you enter Norwood  
from Church St., Nanuet.

Also install a S sign at the beginning of Pelham Ave. at  
E. Allison Avenue with a panel "20 MPH"

Install this same S sign with the "20 MPH" on Pelham  
Avenue at Norwood, Nanuet. See Section 231.3, a W-1-9  
in the NYS MUTCD,

and be it

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

Seconded by Co. Carey

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. (741-1986)                    AUTHORIZING SUPT. OF HIGHWAYS  
TO IMPLEMENT RECOMMENDATIONS OF  
TRAFFIC AND TRAFFIC FIRE SAFETY  
ADVISORY RE: LUDVIGH RD., CARMEN  
DRIVE AND DORIS DRIVE.

Co. Maloney offered the following resolution:

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

A panel to read "20 MPH" under the existing curve sign  
just West of Doris Dr., Nanuet on Ludvigh Road. Also  
erect a sign (road to right), a W-2-3 sign. See section  
232 of the MUTCD. Erect this sign west of Carmen Drive  
and east of Doris Dr. to warn the motorist of Carmen  
Dr., Nanuet and be it

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

Seconded by Co. Carey

RESOLUTION NO. (741-1986) 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. (742-1986)

AUTHORIZING SUPT. OF HIGHWAYS TO IMPLEMENT RECOMMENDATIONS OF TRAFFIC AND TRAFFIC FIRE SAFETY ADVISORY BOARD RE: RED HILL ROAD, NEW CITY

Co. Maloney offered the following resolution:

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

Relocate the existing left curve sign on the eastside of Red Hill Road, New City (opposite #182), 100 ft. south. Add a panel beneath to read "20 MPH". A corresponding sign to be erected on the southside of Red Hill Rd., going in an easterly direction and opposite #188. Add a panel beneath to read, "20- MPH".

In front of light pole in front of driveway #184 Red Hill Rd., erect a left arrow (see sec. 231.4 "Single arrow sign" size 24 x 12, a W-1-11 A of the NYS DOT Manual of Uniform Traffic control devices, and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John O'Sullivan for implementation. Seconded by Co. 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. (743-1986)

AUTHORIZING SUPT. OF HIGHWAYS TO IMPLEMENT RECOMMENDATIONS OF TRAFFIC AND TRAFFIC FIRE SAFETY ADVISORY BOARD RE: CHURCH STREET, NANUET

Co. Maloney offered the following resolution:

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

Signs to read "Weight Limit - 4 Tons" See Section 215.1 of the NYS DOT MUTCD, a R-5-1 sign with the additional sign "Truck" See Section 217.1 of the NYS DOT MUTCD an R-7-1 sign.

These signs to be installed at the proper distance apart as per the NYS DOT MUTCD, on Church Street beginning at Middletown Rd. to Rt. 59 Nanuet, New York, and be it

ABE633

RESOLUTION NO. (743-1986) continued

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. 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. (744-1986)

AUTHORIZING JOSEPH LEWIS,  
TRANSIT OPERATIONS SUPERVISOR  
TO ATTEND SAFETY PLANNING  
WORKSHOP (TO BE CHARGED AGAINST  
5630-414)

Co. Nowicki offered the following resolution:

RESOLVED, that Joseph Lewis, Transit Operations Supervisor of the Town of Clarkstown is hereby authorized to attend Safety Planning for Bus Operations Sept. 9 - 11, 1986, and be it

FURTHER RESOLVED, that all proper charges, not exceeding \$450.00 be charged against 5630-414

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (745-1986)

APPROVING ADDITIONAL WORK -  
KNAPP BUILDING RENOVATION

RESOLVED, that based upon the recommendation of the Director of the Department of Environmental Control, and Charles Maneri, Maintenance Supervisor, that the following work be approved for R & R Construction Company, prime contractor for the Knapp Building renovation:

- 1 Gordon steel basement door
- 1 Storm and screen door for the rear of the building
- 2 Window wells

FURTHER RESOLVED, that \$871.00 be approved and added to the contract price.

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. (746-1986)

AUTHORIZING TOWN LAW SECTION  
280-a(2) HECTOR CUSUMANO (MAP  
172, BLOCK A, LOTS 5.02 AND  
7.03)

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 HECTOR CUSUMANO for property situate at Brook Road, New City, New York, more particularly designated on the Clarkstown Tax Map as: Map 172, Block A, Lots 5.02 and 7.03, 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:

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 Brook Road;

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 Brook Road, to fifty (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 Building Permit for the subject premises, the owner shall provide a written statement from the Chief or other appropriate official of the fire district serving the premises that the gravel driveway as planned shall be adequate for use of fire and other emergency vehicles, and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit for the subject premises, the owner shall obtain approval from the Rockland County Health Department for the septic system, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy, the owner shall at the direction and to the satisfaction of the Director of Environmental Control:

- (a) Trim trees and widen the road;
- (b) Provide a turn-around at the end of the road;
- (c) Pave the driveway;

(d) Repair all pot holes and replace gravel after the construction of the dwelling.

Seconded by Co. Nowicki

Continued on Next Page

ABE633

RESOLUTION NO. (746-1986) 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. (747-1986)

SCHEDULING A PUBLIC  
INFORMATIONAL MEETING REGARDING  
PROPOSED GROUP HOME AT 57-B  
RIDGE ROAD, VALEY COTTAGE- ST.  
DOMINIC'S HOME

Co. Nowicki offered the following resolution:

WHEREAS, the Town of Clarkstown has been notified by St. Dominic's Home by letter dated July 23, 1986, of its intention pursuant to Section 41.34 of the Mental Hygiene Law to establish a community residential facility for developmentally disabled persons at 57-B Ridge Road, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public informational meeting concerning this proposal on September 3, 1986 at 8:00 P.M., at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the Town Attorney shall publish notice of this meeting by display advertising in the Journal News on September 2, 1986, and be it

FURTHER RESOLVED, that this resolution is retroactive to July 29, 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. (748-1986)

SETTING A PUBLIC HEARING AND  
REFERRING MATTER TO THE  
CLARKSTOWN AND COUNTY PLANNING  
BOARDS FOR THEIR  
RECOMMENDATIONS (VILLAGE GREEN  
PROPERTIES, INC.)

Co. Lettre offered the following resolution:

WHEREAS, by Resolution No. 789-1978 dated December 6, 1978, a zone change from R-15, LS, LIO and CS districts to RG-2 and RS districts was granted for property known as Village Green, located to the west side of Route 304 at Dustman Lane, Bardonia, New York, more particularly described in Schedule "A" attached, and

WHEREAS, said zone change was granted subject to several conditions, including a Declaration of Restrictive Covenant, and

RESOLUTION NO. (748-1986) continued

WHEREAS, a Declaration of Restrictive Covenants dated January 29, 1979, was filed in the Rockland County Clerk's Office on February 7, 1979 in Liber 1020 at Page 999, which contained covenants, to wit:

"5. That there shall be a 50 ft. buffer zone along Route 304 in which no building shall be constructed, which buffer zone shall contain appropriate screening as required by the Department of Environmental Control.

6. There shall be a 100 ft. buffer zone along Dustman Lane and Schweitzer Lane in which no building shall be constructed, which buffer zone shall contain appropriate screening as required by the Department of Environmental Control," and

WHEREAS, Village Green Properties, Inc., the current property owner has requested the Town Board of the Town of Clarkstown to modify the covenants referred to herein so the present owner shall not be restricted from constructing patios or decks within the said buffer zones shown on the site plan of Village Green Condominiums;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held on October 7, 1986 at 8:20 P.M., or as soon thereafter as possible, at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, to consider amending the Restrictive Covenants dated January 29, 1978, filed in the Rockland County Clerk's Office on February 7, 1979 in Liber 1020 at Page 999, to consider amendment of the Restrictive Covenant so as to allow the construction within the said buffer zone of patios and decks for the Village Green Condominiums development, and be it

FURTHER RESOLVED, that a copy of this resolution is hereby referred to the Rockland County Planning Board and the Clarkstown Planning Board for their reports and recommendation, 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 Robert Geneslaw, the Town's Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

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

FURTHER RESOLVED, that procedures for notification of area property owners contained in Section 106-32(C) of the Zoning Ordinance of the Town of Clarkstown shall be complied with by the present owner.

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. (749-1986)

AMENDING SALARIES OF TOWN  
JUSTICES (INCREASING  
APPROPRIATION ACCOUNT A  
1110-110 AND REVENUE ACCOUNT  
01-003005

Co. Nowicki offered the following resolution:

RESOLVED, that the salaries of the four Town Justices are hereby increased to \$29,000 per annum effective as of August 18, 1986, and be it

FURTHER RESOLVED, to increase appropriation Account A 1110-110 by \$5,539 00 and increase Revenue Account 01-003005 by \$5,539.00

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (750-1986)

SETTING PUBLIC HEARING AND  
REFERRING PETITION OF AMERICAN  
CYANAMID COMPANY FOR A CHANGE  
OF ZONE TO THE CLARKSTOWN AND  
COUNTY PLANNING BOARDS

Co. Lettre offered the following resolution:

WHEREAS, AMERICAN CYANAMID COMPANY, filed a petition on May 5, 1986 with the Town Clerk of the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described therein from an R-15 district to an LIO district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 28th day of August, 1986, at 8:00 P.M., relative to the proposed amendment, and be it

FURTHER RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report within forty-five (45) days pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Planning Board, and other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, 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.

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

Seconded by Co. Nowicki

Continued on Next Page

RESOLUTION NO. (750-1986) 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. (751-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE VIOLATION PROCEEDING  
FOR REMOVAL OF VIOLATION ON  
PREMISES KNOWN AS MAP 127,  
BLOCK B, LOT 15 PURSUANT TO  
CHAPTER 79 OF THE TOWN CODE  
(DEL ROSARIO)

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 and the Code Enforcement Officer of the Town of Clarkstown that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 127, BLOCK, B, LOT 15 located at 19 Friend Street, Congers, New York, reputedly owned by ALDO DelROSARIO and HELEN DelROSARIO, has been the subject of a Violation Notice issued against the property owners for lack of property maintenance of the property in that the premises have debris and miscellaneous objects on the south side of the yard and the rear yard, including a commercial tow truck. In addition, the reputed owners are, or may be, responsible for abandoned and unregistered cars parked on Fisher Avenue, a paper street which abuts the owners' property on the south property line, to the extent that such accumulation which 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 127, BLOCK B, LOT 15, reputedly owned by ALDO DelROSARIO and HELEN DelROSARIO, 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 owners directing that the said nuisance, hazard and litter be removed within 20 days from the receipt of said Order and Notice, and be it

FURTHER RESOLVED, that said Order and Notice shall advise the property owners that upon failure to remove and otherwise correct the nuisance existing on said property, that

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RESOLUTION NO. (751-1986) continued

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

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 23rd day of September, 1986, at 8:15 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 25, 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 NOL (752-1986)

AUTHORIZING TOWN ATTORNEY TO  
DEFEND A PROCEEDING AGAINST THE  
TOWN OF CLARKSOWN

Co. Maloney offered the following resolution:

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

NEW CITY OFFICE PARK, A PARTNERSHIP,  
Petitioner,

For an Order pursuant to Article 78 of the CPLR and Section 274A of the Town Law of The State of New York,

against

PLANNING BOARD, 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. Lettre

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. (753-1986)

AMENDING TOWN BOARD RESOLUTION  
NO. 677-1986 RE: NICHOLAS  
LONGO, ASSESSOR AND ADAM P.  
KOPF, REAL PROPERTY APPRAISER  
TO ATTEND A SEMINAR (CHARGED TO  
APPROPRIATION ACCOUNT NO. A  
1010-414)

Co. Lettre offered the following resolution:

WHEREAS, Nicholas Longo, Assessor of the Town of  
Clarkstown and Adam P. Kopf, Real Property Appraiser for the Town  
of Clarkstown, attend a Seminar on Appraising for Assessors from  
July 20-25, 1986, and be it

FURTHER RESOLVED, to amend Town Board Resolution No.  
677-1986 that all proper charges not to exceed \$1,070.00, plus  
meals, be charged against Appropriation Account No. A 1010-414.

Seconded by Co. Carey

On roll call the vote was as follows:

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

ABE633

RESOLUTION NO. (754-1986)

SETTING PUBLIC HEARING ON  
PROPOSED AMENDMENTS TO THE  
ZONING ORDINANCE OF THE TOWN OF  
CLARKSTOWN AND REFERRING THIS  
MATTER TO THE CLARKSTOWN AND  
COUNTY PLANNING BOARDS (TABLE  
16, SEC. 106-10B)

Co. Nowicki offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning  
Ordinance of the Town of Clarkstown was adopted on June 30, 1967,  
and further amended from time to time, and

WHEREAS, the Town Board of the Town of Clarkstown  
desires to further amend said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264  
of the Town Law be had at the Auditorium of the Town Hall, 10  
Maple Avenue, New City, New York, on the 7th day of October,  
1986, at 8:25 P.M., or as soon thereafter as possible, to  
consider the adoption of the following proposed amendment to the  
Zoning Ordinance of the Town of Clarkstown:

Amend Table 16, General Use Regulations, Section 106-10B,  
"Note No. 3" from;

"Note No. 3. When adjacent to a commercial district none  
is required, but when provided shall be fifteen (15)  
feet; when adjacent to a residential use or district the  
distance shall be twenty-five (25) feet."

to read as follows:

"Note No. 3. When adjacent to a commercial district  
none is required, but when provided shall be fifteen  
(15) feet; when adjacent to a residential district, the  
distance shall be twenty-five (25) feet."

RESOLUTION NO. (754-1986) continued

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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 as aforesaid and file proof thereof in the office of the said Clerk, and be it

FURTHER RESOLVED, that the above proposed amendment be referred to the Clarkstown Planning Board and Rockland County Planning Board for their recommendation and report.

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 Town Planning Consultant, Robert Geneslaw, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

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. (755-1986)

AUTHORIZING THE SUPERVISOR TO EXECUTE AN AGREEMENT WITH GIBRALTAR MANAGEMENT COMPANY - WATER SERVICE CHARGES ON PROPERTY OWNED BY GIBRALTAR MANAGEMENT COMPANY

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with GIBRALTAR MANAGEMENT COMPANY, in the form of a Declaration and Covenant which shall run with the land, as approved by the Town Attorney, whereby GIBRALTAR MANAGEMENT COMPANY or its successor(s) in interest shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per hydrant basis for those fire hydrants installed or to be installed on private property to service the structures to be located on such property designated on the Clarkstown Tax Map as: Map 71, Block B, Lot 13, and the Comptroller is hereby authorized and directed pursuant to such agreement to provide periodic statements to GIBRALTAR MANAGEMENT COMPANY or the future owner(s) of the premises for payment of the water service charges imposed, plus ten (10%) percent as a handling fee, and be it

FURTHER RESOLVED, that should the property be subdivided or redesignated into different tax parcels, the amounts to be billed shall be prorated against the several tax parcels in accordance with the then applicable assessment values.

Seconded by Co. Nowicki

Continued on Next Page

RESOLUTION NO. (755-1986) continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (756-1986)	AUTHORIZING TOWN ATTORNEY TO DEFEND AN ACTION AGAINST THE TOWN OF CLARKSTOWN (BOWMAN)
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Co. Maloney offered the following resolution:

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

ROBERT H. BOWMAN,  
Plaintiff,

-against-

TOWN OF CLARKSTOWN,  
Defendant.

NOW, THEREFORE, be it

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

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

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RESOLUTION NO. (757-1986)	AMENDING RESOLUTION GRANTING THE USE OF TOWN LAW SECTION 281 (ASTRI HILLS, VALLEY COTTAGE)
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Co. Maloney offered the following resolution:

WHEREAS, Henry Horowitz, Inc., engineer for the applicant, has made application for the use of Town Law Section 281 in connection with a subdivision shown on a map entitled, "Preliminary Site Plan Density Layout Astri Hills, Valley Cottage, Town of Clarkstown, Rockland County, New York" dated March 29, 1984, prepared by Henry Horowitz, Inc., and

WHEREAS, on December 11, 1984 the Town Board did, by resolution, grant the use of Town Law Section 281, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends that said resolution be amended to permit the construction, maintenance and use of ten (10) single family attached dwellings, and

Continued on Next Page

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RESOLUTION NO. (757-1986) continued

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 is used in this subdivision as shown on a map entitled, "Site Plan Density Layout Astri Hills, Valley Cottage, Town of Clarkstown, Rockland County, New York" dated August 27, 1984, last revised June 25, 1985, prepared by Henry Horowitz, Inc., West Nyack, New York, subject to permitting the construction, maintenance and use of ten (10) attached dwellings, and

WHEREAS, Resolution No. 1205-1984, adopted by the Town Board on December 11, 1984, be amended subject to the following conditions:

- 1. Applicant shall provide a conservation easement to the Town of Clarkstown which shall be described by metes and bounds and shaded area on the final subdivision map, the area and extent to which shall be determined by the Planning Board so as to preserve as much of the site in its natural state as possible.

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 as shown on a map entitled, "Site Plan Density Layout Astri Hills, Valley Cottage, Town of Clarkstown, Rockland County, New York" dated August 27, 1984, last revised June 25, 1985, prepared by Henry Horowitz, Inc., permitting the construction, maintenance and use of ten (10) attached dwelling units subject to the conditions stated above and all other subdivision requirements, and be it

FURTHER RESOLVED, that Resolution No. 1205-1984 be and is hereby amended subject to the conditions imposed.

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. (758-1986) ESTABLISHING AN OPEN DEVELOPMENT AREA (280-a (4) PROPERTY DESIGNATED AS MAP 41, BLOCK A, LOT 29.1 (ASTRI HILLS SITE - HOMEOWNERS' ASSOCIATION)

Co. Lettre offered the following resolution:

WHEREAS, application has been made to the Planning Board of the Town of Clarkstown for development of the premises known and designated on the Clarkstown Tax Map as Map 41, Block A, Lot 29.1, to permit the construction of fee owned town houses with common areas under the control of a Homeowners' Association;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a (4) of the Town Law and pursuant to the recommendations of the Town of Clarkstown Planning Board, the Town Board hereby establishes "an open development area" for property situate in Valley Cottage on Mountainview Avenue in the vicinity of Bellview Avenue, which

## RESOLUTION NO. (758-1986) continued

is intended to be developed with town houses having access only by right-of-way which property is more specifically designated on the Clarkstown Tax Map as Map 41, Block A, Lot 29.1, consisting of 8.5 acres, which property may be developed as a result of application of ASTRI CONSTRUCTION CORP., presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any Building Permit the following conditions shall be met by the owner:

1. The "open development area" shall consist of the right-of-way, common areas, and other portions of the property shown as Lot No. 11, as shown on a proposed site plan entitled, "Site Plan, Astri Hills, Town of Clarkstown, Rockland County, New York," dated August 27, 1984, and was last revised on June 23, 1985, as prepared by Henry Horowitz, Inc., West Nyack, New York, as Project No. 8402 for which Building Permits or Certificates of Occupancy may be issued for no more than ten (10) town house units subject to obtaining final site plan and any required subdivision approval of the Clarkstown Planning Board, for which access to said dwellings is given by the private right-of-way or easement from Mountainview Avenue, Valley Cottage, as shown on said proposed site plan.

2. The applicant shall obtain the review and approval of the proposed access, any required drainage improvements and the necessary sewer system from the Department of Environmental Control prior to final site plan approval.

3. Applicant, prior to final site plan approval, shall contribute monies for money-in-lieu-of-land as agreed.

4. Prior to final approval, applicant shall provide evidence that subject premises is in a water district or applicant has petitioned the Town Board for the creation or extension of a water district.

5. Prior to final approval, applicant shall secure separate tax lot numbers for all dwelling units and open areas.

6. Prior to final approval, applicant shall secure in writing a statement from the New City Ambulance Corps and the Fire District servicing the area that the proposed right-of-way will provide sufficient emergency access.

7. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenant which shall run with the land in a form acceptable to the Town Attorney and which shall be recorded in the Rockland County Clerk's Office, which Declaration shall contain the following Declaration and Covenants:

(A) That the property owner acknowledges that access to the nearest public road has been obtained by private easement or right-of-way, and that the property owners shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other similar services which are provided to residents of the Town of Clarkstown whose properties front on a public road;

(B) That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein.

(C) That the fee ownership of the common areas, right-of-way, and other portions of the property shown as Lot No. 11 on said site plan, be in a Homeowners' Association duly formed with responsibility for property maintenance and landscaping.

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ABE633

RESOLUTION NO. (758-1986) continued

(D) That the Declaration shall contain provisions for regular maintenance, repair, snow plowing and other necessary services on the right-of-way and other common element areas by the Homeowners' Association.

(E) That the Certificate of Occupancy issued for any fee units within the site plan or subdivision boundaries shall be conditioned upon observance and subject to the Declaration of Covenants herein required.

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

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

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. (759-1986)

ACCEPTING DEED FOR ROAD  
WIDENING (CLARKSVILLE MANOR)

Co. Nowicki offered the following resolution:

WHEREAS, as a condition to the approval of the site plan of CLARKSVILLE MANOR, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Route 59A, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, the deed dated May 19, 1986, from C M & N Associates, Inc. to the Town is hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Maloney



RESOLUTION NO. (762-1986)

AUTHORIZING TOWN ATTORNEY TO  
DEFEND A PROCEEDING AGAINST THE  
TOWN OF CLARKSTOWN (ANNE VAN  
WAVEREN)

Co. Maloney offered the following resolution:

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

ANNE VAN WAVEREN,  
Petitioner,

for a judgment pursuant to CPLR Article 78

-against-

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

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. 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. (763-1986)

AUTHORIZING ATTENDANCE AT  
CONFERENCE, JOHN O'SULLIVAN,  
CHARLES BURGIO & HARRIET  
ROTHERMEL OF HIGHWAY DEPT.  
(CHARGE TO APPROPRIATION  
ACCOUNT A 1010-414)

Co. Nowicki offered the following resolution:

RESOLVED, that John O'Sullivan, Superintendent of  
Highways, Charles T. Burgio, Deputy Superintendent of Highways,  
and Harriet A. Rothermel, Service Dispatcher, are hereby  
authorized to attend the New York State Association of Town  
Highway Superintendents of Highways 57th Annual Conference, to be  
held September 23rd through Sept. 26, 1986, Swan Lake, New York.

FURTHER RESOLVED, that expenses incurred at this  
conference be make proper Town charges and charged to  
Appropriation Account A 1010-414.

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. (764-1986) AUTHORIZING PAYMENT TO  
MARGARETANN RIES

Co. Maloney offered the resolution:

RESOLVED, that the sum of \$1,554.75 be paid to  
MARGARETANN RIES, Secretary to the Board of Appeals, for the  
preparation of the transcripts required in the following  
proceedings:

- SUPER VALUE, INC. v. BOARD OF APPEALS
- ANNE VAN WAVEREN v. BOARD OF APPEALS
- JOHN and ANN MARIE SAUTNER v. BOARD OF APPEALS
- SHIRLEY LANGBAUM v. BOARD OF APPEALS

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. (765-1986) AUTHORIZING SUPERVISOR TO FILE  
APPLICATION RE: STATE AID  
"COMMUNITY CENTER PROGRAMS"

Co. Nowicki offered the following resolutioj:

RESOLVED, based upon the recommendation of Edward J.  
Ghiazza, Superintendent of Recreation and Parks, that the  
Supervisor is hereby authorized to file a Recreation Project  
Renewal Application entitled "Community Center Pograms" with the  
New York State Executive Department Division for Youth, in the  
amount of \$39,063.00 for the period commencing January 1, 1987  
through Deember 31, 1987.

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. (766-1986) AUTHORIZING SUPERVISOR TO FILE  
APPLICATIONS RE: STATE AID RE:  
COMMUNITY RECREATION PROGRAM  
ADMINISTRATION AND SPECIAL  
PROGRAMS"

Co. Nowicki offered the following resolution:

RESOLVED, based upon the recommendation of Edward J.  
Ghiazza, Superintendent of Recreation and Parks, that the  
Supervisor is hereby authorized to file a Recreation Project  
Renewal Application entitled "Community Recreation Program  
administration and Special Programs" with the New York State  
Executive Department Division of Youth, in the amount of  
\$11,374.50 for the period commencing January 1, 1987 through  
Deember 31, 1987

Seconded by Co. Maloney

Continued on Next Page

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RESOLUTION NO. (766-1986) 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. (767-1986)                      SETTING DATE FOR STUDENT  
GOVERNMENT DAY

Co. Maloney offered the following resolution:

RESOLVED, that Student Government Day is hereby scheduled for Wednesday, October 22, 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. (768-1986)                      AUTHORIZING TOWN CLERK TO  
ENROLL IN ACADEMY FOR ADVANCED  
EDUCATION - SYRACUSE UNIVERSITY  
(CHARGED AGAINST ACCOUNT A  
1010-414.)

Co. Nowicki offered the following resolution:

RESOLVED, that permission is hereby granted to Town Clerk, Patricia Sheridan, to enroll in the Academy for Advanced Education of Syracuse University to be conducted at the University's Conference Center, Minnowbrook, N.Y., September 14 - 17, 1986, and be it

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$400.00 plus mileage to be allocated against Account No. A 1010-414.

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. (769-1986)                      SETTING A PUBLIC HEARING WITH  
RESPECT TO ALLEGED VIOLATIONS  
OF CHAPTER 63 OF THE TOWN CODE  
OF THE TOWN OF CLARKSTOWN  
(SCHETTINO SERVICE CORP.)

Co. Lettre offered the following resolution:

Continued on Next Page

RESOLUTION NO. (769-1986) continued

WHEREAS, information has been presented to the Town Board which, if true, would establish that Schettino Service Corp., 73 Ridge Road, Valley Cottage, 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 on or about August 1, 1986, 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 SCHETTINO SERVICE CORP., for a hearing to be held before the Town Board of the Town of Clarkstown on September 11, 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. (770-1986)

SETTING A PUBLIC HEARING WITH RESPECT TO ALLEGED VIOLATIONS OF CHAPTER 63 OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN (MARANGI BROTHERS, INC.)

Co. Maloney offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that MARANGI BROTHERS, INC., P.O. Box 193, Spring Valley, 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 on or about July 29, 1986, 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 MARANGI BROTHERS, INC., for a hearing to be held before the Town Board of the Town of Clarkstown on September 25, 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  
\*\*\*\*\*

ABE633

RESOLUTION NO. (771-1986) GRANTING ADJOURNMENT OF PUBLIC HEARING TO SEPTEMBER 24, 1986 RE: DONATO MARANGI, INC.

Co Maloney offered the following resolution:

WHEREAS, by Resolution No. 610-1986, dated June 24, 1986, the Town Board of the Town of Clarkstown has determined to hold a public hearing on August 13, 1986 at 8:00 P.M., with respect to charges and specifications wherein it is alleged that Donato Marangi, Inc., had dumped garbage, rubbish, and debris in the Clarkstown Sanitary Landfill which originated outside the Town of Clarkstown in violation of Chapter 63 of the Town Code of the Town of Clarkstown, and

WHEREAS, David W. Silverman, Esq., attorney for Donato Marangi, Inc., has requested adjournment of said public hearing due to his unavailability on August 13, 1986;

NOW THEREFORE, be it

RESOLVED, that the application for adjournment is hereby granted and the public hearing scheduled for August 13, 1986 is hereby rescheduled to September 24, 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. 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. (772-1986) AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR OFFICE FURNITURE-BID #55-1986

Co. Lettre offered the following resolution:

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

BID #55-1986  
OFFICE FURNITURE

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 Wednesday, September 3, 1986 at which time bids will be opened and read, and be it

FURTHER RESOLVED, that bid specifications and proposal documents can be obtained at the Office of the Clarkstown Director of Purchasing

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

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RESOLUTION NO. (773-1986)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR THREE (3) 40 CUBIC  
YARD ROLL-OFF CONTAINERS - BID  
#56-1986

Co. Lettre offered the following resolution:

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

BID #56-1986  
Three (3) 40 cubic yard roll-off containers

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  
Wednesday, September 17, 1986. at which time bids will be opened  
and read, and be it

FURTHER RESOLVED, that bid specifications and proposal  
documents can be obtained at the Office of the Clarkstown  
Director of Purchasing.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (774-1986)

ACCEPTING DEED FROM MASCO  
CONGERS CORP. (MAP 127, BLOCK  
D, LOTS 5.1 and 6.3)

Co. Nowicki offered the following resolution:

WHEREAS, Masco Congers Corp., has tendered a deed to the  
Town of Clarkstown for premises described on the Clarkstown Tax  
Map as: Map 127, Block D, Lots 5.1 and 6.3 for use as additional  
parklands, and

WHEREAS, there are taxes presently in arrears on said  
premises to the total of \$13,228.52, and

WHEREAS, an appraisal indicates that the property has a  
value higher than the accrued taxes and the Parks Board and  
Recreation Commission has recommended addition of this parcel to  
Congers Memorial Park;

NOW, THEREFORE, be it

RESOLVED, that deed dated July 25, 1985 from  
Masco-Congers Corp., is hereby accepted and ordered recorded in  
the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the sum of \$13,228.52 is hereby  
appropriated from the Parklands Account to pay for the accrued  
tax arrears, and be it

FURTHER RESOLVED, that the sum of \$13,228.52 is hereby  
transferred from the Money-in-Lieu-of-Land Account to the  
Parklands Account.

Seconded by Co. Maloney

ABE633

RESOLUTION NO. (774-1986) 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. (775-1986)

AUTHORIZING BUILDING INSPECTOR  
TO PERFORM CORRECTIVE ACTION  
RE: ORDER AND NOTICE DATED MAY  
13, 1986 RE: BARBARA WEST -  
CHAPTER 31 VIOLATION

Co. Nowicki offered the following resolution:

WHEREAS, by Resolution No. 463 dated May 13, 1986, the Town Board of the Town of Clarkstown has duly instituted proceedings pursuant to Chapter 31 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 122, Block A, Lot 24, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on July 8, 1986, after notice and opportunity to be heard at said hearing was provided to the owner of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Notice pursuant to Town Code Section 31-5 dated May 13, 1986, have not been corrected, and it is

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown be and he hereby is directed to perform the corrective action ordered in said Order and Notice as such conditions remain uncorrected, and it is

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective action be assessed against the property, and it is

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector and the Town Attorney.

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. (776-1986)

ACCEPTING DECLARATION BY SOUTH  
OF THE MOUNTAIN BUILDERS, LTD.  
(MAP 35.2, BLOCK B, LOT 6) RE:  
WATER SERVICE CHARGES BY SPRING  
VALLEY WATER CO., INC.

Co. Maloney offered the following resolution:  
Continued on Next Page

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RESOLUTION NO. (776-1986) continued

RESOLVED, that a Declaration dated July 31, 1986, made by SOUTH OF THE MOUNTAIN BUILDERS, LTD., as owners of property described on the Clarkstown Tax Map as MAP 35-2, BLOCK B, LOT 6, to provide for the reimbursement to the Town of water service charges by Spring Valley Water Company, Inc. on a per hydrant basis is hereby accepted and ordered recorded in the Rockland County 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
- \*\*\*\*\*

ABE633

RESOLUTION NO. (777-1986)	APPOINTING POLICE RADIO DISPATCHER - POLICE DEPARTMENT TIMOTHY SHEAHAN
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Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Timothy Sheahan, 7 Robin Place, West Nyack, New York - as Police Radio Dispatcher - Police Department - from Certification of Eligibles Police Radio Dispatcher #86015 - at the current 1986 annual salary of \$16,269.00, 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. (778-1986)	CREATING POSITION OF POLICE RADIO DISPATCHER - POLICE DEPARTMENT
---------------------------	--

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 18, 1986 that the position of Police Radio Dispatcher - Police Department - can be created,

NOW, THEREFORE be it

RESOLVED, that the position of Police Radio Dispatcher - Police Department - is hereby created effective and retroactive to August 11, 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. (779-1986)                    APPOINTING MAINTENANCE  
   SUPERVISOR (AUTOMOTIVE)TOWN  
   GARAGE, JEFFREY BAKER

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Maintenance Supervisor Automotive #86064, which contains the name of Jeffrey Baker,

NOW, THEREFORE be it

RESOLVED, that Jeffrey Baker, 19 Lake Road, Stony Point, New York, is hereby appointed to the permanent position of Maintenance Supervisor (Automotive)-Town Garage-at the current 1986 annual salary of \$28,922.00, effective August 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. (780-1986)                    ACCEPTING THE RESIGNATION OF  
   PATRICK MALONEY, PART-TIME BUS  
   DRIVER (MINI TRANS DEPARTMENT)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Patrick Maloney, 15 Staubitz Avenue, Pearl River, New York , part-time Bus Driver, Mini Trans Department is hereby accepted effective and retroactive to August 1, 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. (781-1986)                    GRANTING MARCO FELDI, ASSISTANT  
   AUTOMOTIVE MECHANIC - HIGHWAY  
   DEPARTMENT - A LEAVE OF ABSENCE  
   WITHOUT PAY

Co. Lettre offered the following resolution:

WHEREAS, Marco Feldi, 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

RESOLUTION NO (781-1986) continued

RESOLVED, that Marco Feldi, 222 North Little Tor Road, New City, New York, Assistant Automotive Mechanic - Highway Department - is hereby granted a leave of absence without pay effective September 11, 1986 and to expire on August 11, 1987.

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
- \*\*\*\*\*

ABE633

RESOLUTION NO. (782-1986)                      REAPPOINTING WILBUR T. OSWALD  
MEMBER - PARKS BOARD AND  
RECREATION COMMISSION

Co. Lettre offered the following resolution:

RESOLVED, that Wilbur T. Oswald, 56 Poplar Street, Nanuet, New York, is hereby reappointed to the position of Member, Parks Board and Recreation Commission, to serve without compensation, term effective August 16, 1986 and to expire on August 15, 1991.

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. (783-1986)                      REAPPOINTING DR. DAVID KELLY  
MEMBER - PARKS BOARD AND  
RECREATION COMMISSION

Co. Lettre offered the following resolution:

RESOLVED, that Dr. David Kelly, 735 Jacqueline Drive, Valley Cottage, New York, is hereby reappointed to the position of Member - Parks Board and Recreation Commission to serve without compensation, term effective August 16, 1986 and to expire on August 15, 1991.

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. (784-1986)                      RECLASSIFYING POSITION OF  
STENOGRAPHER TO SENIOR TYPIST  
PARKS BOARD AND RECREATION  
COMMISSION (EILEEN GRAY)

Co. Lettre offered the following resolution:



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RESOLUTION NO. (787-1986)

APPOINTING LINDA McDERMOTT TO  
THE POSITION OF SENIOR CLERK  
TYPIST (TEMPORARY) TOWN CLERK'S  
OFFICE

Co. Lettre offered the following resoluton:

RESOLVED, that Linda McDermott, 179 Red Hill Road, New City, New York, is hereby appointed to the position of (temporary) Senior Clerk Typist - Town Clerk's Office at the hourly rate of \$9.00 effective and retroactive to July 10, 1986, for a period not to exceed 3 months.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (788-1986)

APPOINTING BETTY M. FARKAS  
MEMBER - ARCHITECTURAL REVIEW  
BOARD

Co. Lettre offered the following resolution:

RESOLVED, that Betty M. Farkas, 6 Lenox Way, New City, New York is hereby appointed to the position of Member Architectural Review Board (to fill the unexpired term of Arnold Amster) at the 1986 annual salary \$1,000.00, term effective August 18, 1986 and to expire on May 24, 1988.

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. (789-1986)

AWARDING BID #54-1986 (SALE OF  
SURPLUS VEHICLES) TO BROOKFIELD  
AUTO WRECKERS, INC., FREDERIC  
DUCHESNE AND R & R CONSTRUCTION

Co. Nowicki offered the following resolution:

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

BID #54-1986  
SALE OF SURPLUS VEHICLES

is hereby awarded to:

BROOKFIELD AUTO WRECKERS, INC.  
275 Lamont Street  
Elmsford, New York 10523

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RESOLUTION NO. (789-1986) continued

FREDERIC DUCHESNE  
401 Phillips Hill Road  
New City, New York 10956

R & R CONSTRUCTION  
LAKE ROAD  
Rockland Lake, New York 10989

as per the attached schedule of highest bid for each 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. (790-1986)

AWARDING BID #52-1986 FOR  
COMPUTER/WORD PROCESSING  
SUPPLIES TO J.T.C. CORP.,  
OFFICE COMMUNICATIONS,  
PREFERRED BUSINESS FORMS AND  
WANG LABORATORIES, INC.

Co. Maloney offered the following resolution:

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

BID #52-1986  
COMPUTER/WORD PORCESSING SUPPLIES

is hereby awarded to:

- 1 J.T.C. CORPORATION  
649 Rahway Avenue  
Union, N.J. 07083
- OFFICE COMMUNICATIONS  
33 North Madison Avenue  
Spring Valley, New York 10977
- PREFERRED BUSINESS FORMS  
122 E. Main Street  
Elmsford, New York 10523
- WANG LABORATORIES, INC.  
800 Chelmsford Street  
Lowell, Mass. 01851  
ATTN: MR MONTERO

as per schedule of items and prices on file in Purchasing  
Department

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. (793-1986)

MEMORIALIZING RESOLUTION WITH  
RESPECT TO A DRAINAGE CONDITION  
IN THE VICINITY OF CYPRESS  
LANE, NEW CITY

Co. Nowicki offered the following resolutiin:

WHEREAS, there exists a drainage condition in the vicinity of Cypress Lane, New City, which condition is worsened by the existence of an inadequate drainage culvert under Old Route 304 at Cypress Lane, which culvert is under the jurisdiction of the Rockland County Highway Department, and

WHEREAS, the Rockland County Highway Department has plans to replace said culvert during the summer of 1987, and

WHEREAS, the Town Board believes the construction schedule should be advanced in the interest of public safety;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests the Rockland County Legislature, Rockland County Executive, John Grant, and Rockland County Superintendent of Highways, Joseph Hornik, use their discretion to advance the construction schedule to as soon as possible to avoid further drainage problems.

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. (794-1986)

AUTHORIZING THE SUPERINTENDENT  
OF HIGHWAYS TO PICK UP DEBRIS  
ALONG COLLYER AVENUE, NEW CITY

Co. Nowicki offered the following resolution:

RESOLVED, that the Superintendent of Highways is hereby authorized and directed to pick up debris which accumulated as a result of the flood along Collyer Avenue, New City, caused by the recent heavy rain storm.

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. (795-1986)

AUTHORIZING SUPERINTENDENT OF  
HIGHWAYS AND THE DIRECTOR OF  
ENVIRONMENTAL CONTROL TO  
INSTALL SIDEWALKS ALONG  
LAKEWOOD DRIVE, CONGERS

Co. Maloney offered the following resolution:

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RESOLUTION NO. (795-1986) continued

RESOLVED, that the Superintendent of Highways and the Director of Environmental Control are hereby authorized to install sidewalks along Lakewood Drive, Congers, between Route 303 and Route 9W.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

There being no further business to come before the Town Board, on motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Town Board Meeting was declared closed, time: 10:00 P.M.

*Respectfully submitted,*  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

ABEG33

Town of Clarkstown  
Public Hearing

Town Hall

8/12/86

8:12 P.M.

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

RE: EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER SUPPLY  
DISTRICT #1 - LONG CLOVE ROAD ASSOCIATES, INC.

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

Supervisor asked if there was anyone wishing to speak in favor of the proposed water extension.

No one appeared.

Supervisor asked if there was anyone wishing to speak in opposition to the proposed water extension.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 8.14 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

(ADOPTED)

ABE633

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/12/86

8:14 P.M.

Present: Supervisor Holbrook  
Councilmen Cafey, Lettre, Maloney, Nowicki  
John Costa, Town Attorney  
Patricia Sherida, Town Clerk

Re: DESIGNATION OF HISTORICAL SITE - 16 Phillips Hill Road,  
New City (Map 60, Block A, Lot 7)

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

Town Attorney stated that he had an affidavit of posting. Town Attorney also stated that Miss Eleanor Fitch is present. She is the property owner and she has been a proponent of the action proposed to be taken by the Town Board.

Supervisor asked Eleanor Fitch if she would like to come up and say a few words about her home.

Appearance: Miss Eleanor Fitch  
15 Phillips Hill Road  
New City, New York

Miss Fitch stated she had lived in the house since 1951. The house was built in approximately 1720 and is made of sandstone and cut out of a quarry a little north of the house. It is pretty much intact, except for putting in a new roof and a back door. It is a charming little Dutch house, as typical as can be with two fireplaces. The fireplaces come up in the house to keep upper bedrooms warm.

Appearance: Kathy Landers  
Roberts Road  
New City, New York

Mrs. Landers, a member of the Historical Review Board stated she would like to encourage the board to designate the Blauvelt Secor House a Historical site.

Town Attorney would like the record to reflect that the entire recommendation of the Historical Reveiw Board is part of the record and asked if there was anyone wishing to speak in opposition.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed..Time 8:15 P.M.

(RESOLUTION NO. 701-1986 ADOPTED)

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

ABE633

TOWN OF CLARKSTOWN  
PUBLIC HEARING

TOWN HALL

8/12/86

8:15 P.M.

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

RE: PROCEEDING FOR REMOVAL OF VIOLATION ON PREMISES KNOWN  
AS MAP 163, BLOCK D, LOT 15 (FRANK AND NOREEN PILLETTERI)

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public hearing was declared opened, time: 8:15 P.M.

At this time the Town Attorney, John Costa recommended that the Public Hearing be recessed until Irene Saccende, of the Building Department arrives.

Public Hearing reopened, time 8:35 P.M.

Town Attorney swore in Irene Saccende, Code Enforcement Officer in the Building Department.

Appearance: Irene Saccende  
Code Inspector, Town of Clarkstown

Town Attorney asked Mrs. Saccende if she had occasion to investigate the property known and designated on the Clarkstown Tax Map as Map 163, Block D, Lot 15? Mrs. Saccende said yes. Town Attorney asked Mrs. Saccende to advise the Town Board when she first came upon this property, her observations and actions which she or her office had taken. Mrs. Saccende said in December, 1985 she was told by an inspector who was on Freedman Avenue that the property located at 20 Freedman Street was in very bad condition. There were many cars, there was litter and debris all around the yard.

Town Attorney asked when Mrs. Saccende first visited the property, approximately? Mrs. Saccende said she believed, December 21, 1985. Town Attorney then asked what Mrs. Saccende observed? Mrs. Saccende said there were approximately 8 cars (unlicensed vehicles) in front of building itself. There was litter, debris and garbage on the north, south and in the front yards. There were parts of cars and there were cars currently being worked on. There were only two cars on the whole lot that had a current registration. Town Attorney asked if Mrs. Saccende personally checked the registration on these vehicles to determine if they were registered? Mrs. Saccende said yes. She took the information, and what cars did have plates or a sticker in the window had the police run the information for her to determine if they were currently registered vehicles.

Town Attorney asked what was the condition of the vehicles in general terms? Mrs. Saccende said that approximately half of them were in run down condition. Town Attorney asked if Mrs. Saccende had occasion to take any photographs at that time? Did she have any documentation? Mrs. Saccende said she has photographs starting from March, April and May which she put in the file folder and the ones taken today. Town Attorney asked if those photographs depict the condition of the premises as it was on December 21st when she first examined it? Mrs. Saccende said it was very similar. The first pictures that were taken to support the papers brought into court were taken March 4, 1986 and approximately every month thereafter we took pictures.

Town Attorney asked what action was taken, if any, on or about December 20, 1985? Mrs. Saccende said after coming back to the office and researching the property for the property owners and doing the necessary documentation, a violation notice was sent out to them. Town Attorney asked who were the owners of record? Mrs. Saccende said Frank and Noreen Pillitteri.

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Town Attorney asked what exactly did your office direct Frank and Noreen Pillitteri to do? Mrs. Saccende said she asked them to remove all unlicensed vehicles from the property and to pick up and clean up the property so that it would be free of all litter and debris. Town Attorney asked if Mrs. Saccende had a copy of the notice with her? Mrs. Saccende said yes. Town Attorney asked Mrs. Saccende to please produce it for the information of the Town Board. Town Attorney asked if Mrs. Saccende wanted a copy of the notice to be part of the record of this hearing? Mrs. Saccende said yes. Town Attorney passed a copy of the notice to the Board members.

Town Attorney asked Mrs. Saccende what action did she subsequently take to the issuance of the violation notice? Mrs. Saccende said the property was re-inspected to ascertain whether they had cleaned up the property in the time allotted and it hadn't been sufficiently cleaned up. Town Attorney asked on what date or dates did you re-inspect the property? Mrs. Saccende said 1/6/86 and 1/24/86. Town Attorney asked what if anything did you observe at that time? Mrs. Saccende said the condition was much the same. A few of the cars had been removed but there were still six unlicensed vehicles on the property. The litter and debris were still on the ground, and a summons was issued at that point - the 1/26/86 inspection.

Town Attorney asked if Mrs. Saccende subsequently made any further inspections? Mrs. Saccende said yes. Town Attorney asked when did you do that? Mrs. Saccende said 3/4/86, 4/23/86, 5/19/86, 8/12/86. Town Attorney said 8/12/86 being today, what is the present condition of the premises? Mrs. Saccende said there are only two unlicensed vehicles on the property today; however, the litter and debris is much the same as the previous times.

Town Attorney said Mrs. Saccende stated that she had photographs. Did she have the photographs to offer into the record as to the condition of the premises? Mrs. Saccende said yes. Town Attorney asked if she had any of the most recent photographs? Mrs. Saccende had a series of 10 photographs (labeled 8/12/86 11:05 A.M.) of the property located at 20 Freedman Avenue, Nanuet, New York (Map 163, Block D, Lot 15.) Town Attorney asked if the photographs were taken by Mrs. Saccende? Mrs. Saccende said yes. Town Attorney asked if the photographs fairly and accurately depicted the condition of the premises as it existed at 11:05 A.M. today? Mrs. Saccende said yes. Town Attorney asked if Mrs. Saccende wanted the photographs made part of the record? Mrs. Saccende said yes.

Town Attorney asked if the present condition of the premises violated the order of the Building Inspector dated December 24, 1985? Mrs. Saccende said yes. Town Attorney asked did the present condition of the premises present any threat to health, safety and welfare of the community? Mrs. Saccende said she would say there is a threat in so much as when she was walking on the property today to take pictures near the dumpster, there was a small stirring animal. She didn't know what it was. It was very fast.

Town Attorney asked if Mrs. Saccende's office received complaints from the public regarding the condition of the premises? Mrs. Saccende said yes, numerous complaints. Town Attorney asked if Mrs. Saccende's actions in the Justice Court of the Town of Clarkstown to date resulted in the abatement of the problem? Mrs. Saccende said from the condition of today's pictures, I would say very little.

Town Attorney asked if Mrs. Saccende or any members of her office had spoken directly to reputed owners, Frank Pillitteri and Noreen Pillitteri? Mrs. Saccende said yes. Town Attorney asked Mrs. Saccende to state for the record the substance of those conversations, what she said, and what was said in return to Mrs. Saccende? Mrs. Saccende said it was merely on court appearance dates when she spoke with them and she outlined the things that

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Page 3

would have to be done to clean up the property. At that time they said they would take care of it; however, it was difficult removing the cars because the cars belonged to the tenants in the building. They were going to have additional pickup days by their garbage people and they were, in general, going to clean up the property.

Town Attorney asked Mrs. Saccende when was her last conservation with the Pillitteri's? Mrs. Saccende said the last court appearance. Town Attorney asked if Mrs. Saccende knew the date of that court appearance? Mrs. Saccende said 6/18/86.

Town Attorney asked if there was anyone present wishing to speak regarding the violation hearing.

Appearance: Ira Reese  
15 Sherwood Drive  
Nanuet, New York

Mr. Reese said he resides on 15 Sherwood Drive which is around the corner from the property in question. Mr. Reese asked if any further inspections were done? Mrs. Saccende said that interior inspections were made by the Fire Inspector with the Clarkstown Building Department. There are currently outstanding violations that the Fire Inspector has on the interior inspections which were made by the Health Department.

Appearance: Warren Kossin  
2 Congers Road  
New City, New York

I am the attorney for Noreen and Frank Pillitteri. We appeared in court back in June. The last court appearance was subsequent to the date of this order. Mr. and Mrs. Pillitteri understand and realize the fact that they have a problem with their property and notwithstanding all the efforts that they have made, they have not been able to clean the property to the satisfaction of the Town. They have also had a problem with the cars on the property because of the fact that they don't own the cars. They would gladly have the cars removed from the property, they belong to the tenants there. They brought cleaning services in and as soon as they have the property cleaned, the tenants almost immediately have the property once again covered with debris. Understand the fact that they have not been able to and probably will not be able to clean the property to the satisfaction of the Town. They have literally thrown up their hands and they have entered into a contract to sell the property and it is the intention of the purchaser to have the tenants removed from the premises and have the premises generally refurbished to a condition that will hopefully be satisfactory to the Town. I have as an exhibit for the Town Board a copy of the contract of sale which has been signed by the purchaser. Hopefully the title will pass sometime during the month of September, possibly earlier, but not likely. In light of the fact that my client is making an effort, any further action on the part of the Board tonight would only increase costs to my client when in fact hopefully the problem will be resolved without the Town taking any action. I am requesting that this hearing be recessed until sometime in September or possibly October. Hopefully by that point the new owners will be in there, and will have started the necessary proceedings to vacate the premises and have it cleaned up. They do intend to rebuild the building but exactly what they intend to use it for afterwards, I don't know.

Town Attorney asked has your client authorized anyone, yourself or anyone else, to institute any kind of eviction proceedings regarding the tenants? Mr. Kossin said they started dealing with Social Services, then my client realized that this type of property is beyond what their dreams were for investment property. They decided as an alternative that they would sell the

Continued on Next Page

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property and they have sold it to a contractor who intends to do the necessary work on the building. Town Attorney asked if Mr. Kossin can offer any timetable to the Town Board as to when the tenants, whom your clients are blaming for the debris and other problems, will be removed from the premises? Mr. Kossin said he couldn't do that since the purchaser intends to take that action. We have a contract which is contingent upon the purchaser obtaining a mortgage commitment by September 1st. They are getting mortgages on their own home and they intend to buy this as a cash deal and will close and then start the action. Town Attorney asked if it wouldn't be an assistance to your clients if the Town Board, in view of the frustration that you say your clients have experienced, authorize the Superintendent of Highways or another town official to remove the debris immediately? Mr. Kossin said it might have been an assistance to them possibly six months ago, but at this particular time they have already suffered great financial losses, one in trying to rehabilitate the premises themselves and two because of the Town Board action or Building Inspector's action and the cost of court and also the action brought by the Board of Health. At this particular point we are trying to mitigate damages as much as possible. Town Attorney asked if Mr. Kossin's clients suffered any fines or any other penalties from the Department of Health? Mr. Kossin said his clients have and they have not been able to collect rent from tenants and it has been a complete loss. Town Attorney asked what approximately was the cost to them in terms of fines? Mr. Kossin said \$2,000.00.

Co. Nowicki said the problem is that you are very sanguine to hope they will get a commitment by the first of September. Mr. Kossin said they started the mortgage applications prior to the contract.

Co. Lettre asked if there was a clause that the commitment has to be issued by a certain date? Mr. Kossin said, yes September 1st. They are trying to hurry this matter along as much as possible. If you will notice, the original date of the contract was in July and due to delay in negotiations for approximately a month we extended the time for the commitment.

Co. Lettre stated he didn't think that there would be any problem having Mr. Kossin's clients clean up the facilities in the ten days specified in the resolution, and having the Building Inspector go out there to review the premises to see that it is in an orderly fashion. Then, if it again becomes unsightly and unacceptable, then I think that your case becomes a more valid one. Mr. Kossin said that his clients have brought in dumpsters and a cleaning service to clean the property up. They brought the Police in to try and have the cars removed and the police officers said that because the cars didn't belong to Mr. Kossin's clients, they couldn't have them removed.

Co. Lettre asked if there were only two cars that were not licensed? My own personal point of view is that the main question and point of this hearing is that the debris and other things that are scattered all over the property make it unsightly and unsafe. He said he thought it was fair to say that if within the 10 day period of time your clients clean up the premises, have an inspection by the Town and if in fact it is cleaned up at that point and is in a satisfactory manner that they have lived up to their obligation. If problems do not occur after that I feel that they have performed their obligation to this Town and I, as a board member, feel the sale should take place in its normal course.

Supervisor Holbrook said, we feel that is going on for so many years it is almost too painful to recount. Supervisor stated that he thought we should move to pass this resolution and see if the property gets cleaned up because going on past performance they haven't been a very good risk and he felt if we give them the statutory time period, 10 days, then we can evaluate

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the situation. I think the people there have suffered long enough with this thing.

Mr. Kossin, said he didn't know if it being sold to somebody else would make the situation any better. Supervisor said he was hopeful that it would be as it can't be any worse. Mr. Kossin said that what the board was suggesting his clients do, they have already done. Supervisor Holbrook said the cleaning up of the garbage and debris is the very least they can do in the interim because if this were to take a couple of months to complete, the people would have to look at it for a couple of months more.

Co. Lettre suggested that Mr. Kossin's clients clean up the premises again, have an inspection, prove to the Town that it has been cleaned, and if it occurs again, then they would look at it in a different light. But, at this point I think our only way to view it is that nothing has been done.

Mr. Kossin said he feels the Town should clean up the premises as his clients have already spent so much that they have thrown up their hands. It has literally gotten to the point where this is a losing case to them.

Town Attorney asked Mr. Kossin if his appearance before the Town Board is in effect to acknowledge that his clients were personally served with the notice and order regarding tonights hearing on or about June 17, 1986? Mr. Kossin said he didn't know if they were personally served with it, but they had knowledge of it and they asked him to come down here as they were not able to do so. Town Attorney asked that the record reflect that we have affidavits dated June 18, 1986 from Herbert Brill, the process server, indicating that he served Frank Pillitteri and Noreen Pillitteri on June 17, 1986 with the Town's order pursuant to Chapter 79 which is the subject of tonights hearing.

There being no one further wishing to be heard, on motion of Councilman Carey and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, TIME 9:05 P.M.

Respectfully submitted,

*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

RESOLUTION NO. (723-1986) ADOPTED

ABE633