

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall 9/9/86 8:02 P.M.

Present: Supervisor Holbrook  
Councilmen Carey, Maloney, Nowicki (present until 8:52 P.M.)  
(Councilman Lettre absent)  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor opened the public portion of the meeting.

Appearance: Mr. Ed Duffy  
Grandview Avenue  
Nanuet, New York 10954

Mr. Duffy spoke regarding the Route 59 Land Use and Traffic Study and inquired as to why the Planning Board rejected this study and requested an investigation.

Supervisor Holbrook asked Mr. Duffy if he was requesting that the Town Board implement and adopt that study? Mr. Duffy said yes and Supervisor Holbrook asked Town Attorney to research the issue to determine if the Town Board had such authority.

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RESOLUTION NO. (801-1986) DENYING PERMISSION FOR  
ESTABLISHMENT OF GROUP HOME  
(ST. DOMINIC'S)

Co. Carey offered the following resolution:

WHEREAS, by notice dated July 23, 1986, St. Dominic's Home notified the Town Board of the Town of Clarkstown of its intention to establish a community resident facility pursuant to Section 41 of the Mental Hygiene Law for up to 14 developmentally disabled persons, and

WHEREAS, on September 3, 1986, the Town Board held a Public Informational Meeting at which time the proposal was discussed and the public had an opportunity to participate, and

WHEREAS, the Town Board has given due consideration to the proposed community residential facility with regard to its location, access to the nearest public road, and its proximity to other community facilities,

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby determines that the location referred to above is inappropriate for the establishment of a community residential facility in that the access to same by right-of-way is not sufficient for the passage of Fire Department Vehicles or would otherwise pose an obstacle for emergency services in an emergency, the location is near a substandard public road without sidewalks, and it is in close proximity to community public health facilities existing at Christian Herald Road in Valley Cottage (Nursing Home), two Tolstoy facilities for care of the aged on Lake Road, Valley Cottage, a Group Home located on Svahn Drive in Valley Cottage, and two group homes established or proposed to be established nearby in Congers, New York, located on Lakewood Drive and North Harrison Avenue, and

BE IT FURTHER RESOLVED, that the Town Board determines that on the basis of information presented to it that the proposed location would result in saturation of the neighborhood, and

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RESOLUTION NO. (801-1986) Continued

BE IT FURTHER RESOLVED, the Town Board hereby requests the Commissioner empowered to act pursuant to Section 41.34 of the Mental Hygiene Law to reconsider the issuance of a permit to establish said facility or in the alternative to convene a hearing at which time the determination can be made regarding the issues of saturation and public safety, and

BE IT FURTHER RESOLVED, that the Town Clerk is requested to forward certified copies of this resolution to St. Dominic's Home and the Office of Mental Retardation and Developmental Disabilities.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

Councilman Maloney said he had a number of questions to raise. He said the Town Board never sat down and never discussed the pros and cons. He said there was never a meeting after the public information meeting. He said he did not know when the Town Board gave due consideration to the proposed community residential facility. If there was a question of saturation that should have been raised immediately that night and that could have been clarified and that could have been the reason given for not accepting this group home but to say that the Fire Department vehicles do not have sufficient passage - that's a farce. He stated that he admitted that the driveway was very steep but no fire vehicle has to go down a driveway. Everyone knows that the hose goes down the driveway not the vehicles so that's just waving at thin air. Saturation should have been clarified and the rest of the stuff is a lot of nonsense, as usual, and he voted "No."

Councilman Carey said that the question of saturation was brought up at the Informational Hearing. He said that he had done a survey himself in the company of the Supervisor this past Saturday and they had looked at the situation and to his way of thinking what this resolution calls for is absolutely right and he still maintains that he would vote yes for this resolution.

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On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Removal of Debris on Premises designated as Map 59, Block A, Lot 1 (Apfelbaum) was opened, time: 8:15 P.M.

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: Removal of Debris on Premises designated as Map 59, Block A, Lot 1 (Apfelbaum) was closed, time: 8:25 P.M.

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RESOLUTION NO. (802-1986)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 59, BLOCK A, LOT 1 (APFELBAUM)

Co. Nowicki offered the following resolution:

WHEREAS, by Resolution No. 566 dated June 10, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting

RESOLUTION NO. (802-1986) Continued

property known and designated on the Clarkstown Tax Map as Map 59, Block A, Lot 1, 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 September 9, 1986, after notice and opportunity to be heard at said hearing was provided to the owner(s) 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 be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after September 19, 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

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 Superintendent of Highways, Building Inspector and the Town Attorney.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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On motion of Councilman Carey, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: Removal of Debris on Premises Designated as Map 14, Block C, Lot 20 (Angona) was opened, time: 8:25 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Removal of Debris on Premises Designated as Map 14, Block C, Lot 20 (Angona) was closed, Resolution ADOPTED, time: 8:50 P.M.

RESOLUTION NO. (803-1986)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 14, BLOCK C, LOT 20 (ANGONA)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 592 dated June 10, 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 14,

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RESOLUTION NO. (803-1986) Continued

BLOCK C, LOT 20, 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 September 9, 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 June 10, 1986, have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take the corrective action necessary and to hire a contractor to remove said premises if same is not removed by the present property owner on or before September 19, 1986;

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 be it

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. Nowicki

On roll call the vote was as follows:

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

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Removal of Debris on Premises Designated as Map 162, Block A, Lot 2 (Betz) was opened, time: 8:52 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Removal of Debris on Premises Designated as Map 162, Block A, Lot 2 (Betz) was closed, RESOLUTION ADOPTED, time: 9:07P.M.

RESOLUTION NO. (804-1986)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 162, BLOCK A, LOT 2 (BETZ)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 568 dated June 10, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 162, Block A, Lot 2, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

RESOLUTION NO. (804-1986) Continued

WHEREAS, a public hearing was duly held on September 9, 1986, after notice and opportunity to be heard at said hearing was provided to the owner(s) 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 be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after September 19, 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

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 Superintendent of Highways, Building Inspector and the Town Attorney.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Removal of Debris on Premises designated as Map 70, Block B, Lot 6 (Karen), was opened, time: 9:10 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Removal of Debris on Premises Designated as Map 70, Block B, Lot 6 (Karen), was closed, time: 9:15 P.M.

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RESOLUTION NO. (805-1986)

ACCEPTING MINUTES OF REGULAR  
TOWN BOARD MEETING OF JULY 8,  
1986 AND SPECIAL  
INFORMATIONAL MEETING OF JULY  
9, 1986

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meeting of July 8, 1986 and the Special Informational Meeting of July 9, 1986 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

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RESOLUTION NO. (807-1986) Continued

RESOLVED, that based upon the recommendation of Patricia A. Betz, Service Investigation Clerk, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc., to install the following:

- 1) Upgrade - Pole #126 - Landing Hill Road opposite intersection Rockland Lake Road - Install (1) 9500 lumen sodium vapor street light. Remove (1) 4000 sumen mercury vapor street light.
- 2) Upgrade - Pole #90 - Landing Hill Road opposite intersection Collyer Avenue - Install (1) 9500 lumen sodium vapor street light. Remove (1) 4000 lumen mercury vapor street light.
- 3) Upgrade - Pole #89 - Landing Hill Road - Install (1) 9500 lumen sodium vappor street light - Remove (1) 4000 lumen mercury vapor street light.
- 4) Install - Pole #NYT 91 - Landing Hill Road - Install (1) 9500 lumen sodium vapor street light.
- 5) Install - Pole #NYT 1 - Collyer Avenue just east of intersection Landing Hill Road - (1) 4600 lumen sodium vapor floodlight and direct toward Rockand Lake Firehouse garage doors.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
 Co. Maloney.....Yes  
 Supervisor Holbrook.....Yes

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RESOLUTION NO. (808-1986)

SETTING PUBLIC HEARING AND  
REFERRING SPECIAL PERMIT TO  
CONSTRUCT AUTO LAUNDRY  
(WIDMAIER) TO TOWN AND COUNTY  
PLANNING BOARDS

Co. Maloney offered the following resolution:

WHEREAS, Ralph Widmaier has petitioned the Town Board of the Town of Clarkstown for a Special Permit to allow the construction of an auto laundry pursuant to the provisions of Section 106-10A, Table of General Use Regulations, RS District, Column 3, Section B, Paragraph 5 of the Zoning Ordinance of the Town of Clarkstown for property located on the east side of Route 9W, Congers, New York, and designated on the Clarkstown Tax Map as: Map 142, Block A, Lots 5.14 and 5.18;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 28th dasy of October, 1986, at 8:05 P.M., to consider the application of Ralph Widmaier, relative to said Special Permit, and be it

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

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RESOLUTION NO. (808-1986) Continued

FURTHER RESOLVED, that a copy of this petition be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their reports and recommendations, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (809-1986)

AMENDING RESOLUTION NO.  
715-1986 BY DELETION OF ITEM  
NO. 7 (AS TO ROCK OUTCROPPING  
ON NORTH SIDE OF BROOKSIDE  
AVENUE AND ROUTE 303)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 715-1986 passed at the Town Board Meeting of August 12, 1986 be hereby amended, and be it

FURTHER RESOLVED, that Item 7 be deleted and the Superintendent of Highways be so advised.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (810-1986)

AUTHORIZING TOWN ATTORNEY TO  
DEFEND PROCEEDING AGAINST  
TOWN OF CLARKSTOWN (GROSSMAN)

Co. Maloney offered the following resolution:

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

In the Matter of the Application of

LOOMIS GROSSMAN,

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 McDUGALL, constituting the then ZONING

RESOLUTION NO. (810-1986) Continued

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. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (811-1986)

AUTHORIZING ATTENDANCE AT  
SEMINAR ON STANDARDIZATION AND  
SPECIFICATION WRITING  
(LAURENCE KOHLER)

Co. Maloney offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is  
hereby authorized to attend a seminar on Standardization and  
Specification Writing conducted by the National Institute of  
Governmental Purchasing, Inc. Seminar to be held at Bear Mountain Inn  
on October 22-23, 1986, and be it

FURTHER RESOLVED, that appropriate charges to go against  
Account No. A 1010-414.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (812-1986)

GRANTING PERMISSION TO USE  
PROSPECT AVENUE COMMUTER  
PARKING LOT (SHAMROCKS DRUM  
CORP)

Co. Maloney offered the following resolution:

WHEREAS, the Shamrocks Drum Corps will be participating on  
October 11, 1986 in the Annual Parade and has received permission from  
the Clarkstown Police to use Clarkstown roads on the parade route, and

WHEREAS, a Certificate of Insurance is to be provided for  
liability coverage, and

WHEREAS, alcoholic beverages may be served,

RESOLVED, that the Shamrock Drum Corps is hereby granted  
permission to use the Prospect Avenue Commuter Parking Lot, Nanuet on  
Saturday, October 11, 1986.

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RESOLUTION NO. (812-1986) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Maloney.....Yes
Supervisor Holbrook.....Yes

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RESOLUTION NO. (813-1986)

DECREASING APPROPRIATION
ACCOUNT DA 5110-312
(MAINTENANCE SUPPLIES) AND
INCREASING DA 5140-379
(SIGNS, FENCES, POSTS) -
HIGHWAY DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account DA 5110-312
(Main. Supplies) by \$3,500 and increase DA 5140-379 (Signs, fences,
posts) by \$3,500.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Maloney.....Yes
Supervisor Holbrook.....Yes

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RESOLUTION NO. (814-1986)

DECREASE APPROPRIATION
ACCOUNT S 5182-424 AND
INCREASE APPROPRIATION
ACCOUNT A 5182-199 -
CONSOLIDATED STREET LIGHT

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account S 5182-424 by
\$21.00 and increase Appropriation account S 5182-199 by \$21.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes
Co. Maloney.....Yes
Supervisor Holbrook.....Yes

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RESOLUTION NO. (815-1986)

DECREASE APPROPRIATION
ACCOUNT NO. A 7140-381 (PARKS
& PLAYGROUNDS-BITUMINOUS &
ROAD REPAIR) AND INCREASE
APPROPRIATION ACCOUNT A
7140-413 (PARKS & PLAYGROUNDS
-TREES & SHRUBBERY)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7140-381
(Parks & Playgrounds-Bituminous & Road Repair) by \$1,000.00 and to
increase Appropriation Account A 7140-413 (Parks & Playgrounds-Trees &
Shrubbery) by \$1,000.00.

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RESOLUTION NO. (815-1986) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (816-1986)

DECREASE APPROPRIATION  
ACCOUNT NO. A 7180-407  
(SWIMMING FACILITIES-  
EQUIPMENT REPAIRS) AND  
INCREASE APPROPRIATION  
ACCOUNT NO. A 7180-219  
(SWIMMING FACILITIES -  
MISCELLANEOUS EQUIPMENT) -  
RECREATION AND PARKS

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No A 7180-407  
(Swimming Facilities-Equipment Repairs) by \$2,200.00 and to increase  
Appropriation Account No. A 7180-219 (Swimming Facilities-  
Miscellaneous Equipment) by \$2,200.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (817-1986)

DECREASE APPROPRIATION  
ACCOUNT A 7210-301  
(REFRESHMENT STANDS-FOOD) AND  
INCREASE APPROPRIATION  
ACCOUNT A 7210-407  
(REFRESHMENT STANDS-EQUIPMENT  
REPAIRS) - RECREATION AND  
PARKS

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 7210-301  
(Refreshment Stands-Food) by \$2,200.00 and to increase Appropriation  
Account A 7210-407 (Refreshment Stands-Equipment Repairs) by \$2,200.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (818-1986)

DECREASE APPROPRIATION  
ACCOUNT NO. A 7210-307  
(REFRESHMENT STANDS-UNIFORMS)  
AND INCREASE APPROPRIATION  
ACCOUNT NO. A 7210-219

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RESOLUTION NO. (818-1986) Continued (REFRESHMENT STANDS-  
-MISCELLANEOUS EQUIPMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7210-307 (Refreshment Stands-Uniforms) by \$40.00 and to increase Appropriation Account No. A 7210-219 (Refreshment Stands-Miscellaneous Equipment) by \$40.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (819-1986) DECREASE APPROPRIATION  
ACCOUNT NO. DA 5142-443  
(HIGHWAY-PRIVATE EQUIPMENT RENTAL) AND INCREASE  
APPROPRIATION ACCOUNT NO. DA 5142-379 (SIGNS, POSTS, RAILS)

Co. Maloney offered the following resolution:

WHEREAS, as per the recommendation of John O'Sullivan, Superintendent of Highways,

RESOLVED, to decrease Appropriation Account No. DA 5142-443 (Highway-Private Equipment Rental) and increase Appropriation Account No. DA 5142-379 (Signs, Posts, Rails) by \$25,000.00

Seconded by Co Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (820-1986) DECREASE APPROPRIATION  
ACCOUNT NO. DB 5110-378  
(HIGHWAY-CULVERTS, PIPES, CATCH BASINS, ETC.) AND  
INCREASE APPROPRIATION  
ACCOUNT NO. DB 5110-379 (ROAD PRESERVING)

Co. Maloney offered the following resolution:

WHEREAS, as per the recommendation of John O'Sullivan, Superintendent of Highways,

RESOLVED, to decrease Appropriation Account No. DB 5110-378 (Highway-Culverts, Pipes, Catch Basins, etc.) and increase Appropriation Account No. DB 5110-379 (Road Preserving) by \$45,000.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (821-1986)

DECREASE APPROPRIATION  
ACCOUNT A 1621-209  
(WAREHOUSE-OTHER EQUIPMENT)  
AND INCREASE APPROPRIATION  
ACCOUNT A 7020-225 (PARKS &  
RECREATION-COMPUTER HARDWARE)  
- RECREATION AND PARKS

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1621-209  
(Warehouse-Other Equipment) by \$7,500.00 and to increase Appropriation  
Account A 7020-225 (Parks & Recreation-Computer Hardware) by  
\$7,500.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (822-1986)

DECREASE APPROPRIATION  
ACCOUNT NO. A 1315-204  
(COMPTROLLER-OFFICE MACHINES)  
AND INCREASE APPROPRIATION  
ACCOUNT NO. A 1315-111  
(OVERTIME)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1315-204  
(Comptroller-Office Machines) and increase Appropriation Account No. A  
1315-111 (Overtime) by \$400.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (823-1986)

INCREASE REVENUE ACCOUNT NO.  
01-002680 (INSURANCE  
RECOVERIES) AND APPROPRIATION  
ACCOUNT NO. A 3320-409  
(INSTALLATION OF TRAFFIC  
SIGNALS-FEES FOR SERVICES) -  
COMPTROLLER

Co. Maloney offered the following resolution:

RESOLVED, to increase Revenue Account No. 01-002680  
(Insurance Recoveries) and Appropriation Account No. A 3320-409  
(Installation of Traffic Signals-Fees for Services) by \$36,000.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (824-1986)

INCREASE REVENUE ACCOUNT NO.  
01-002680 (INSURANCE  
RECOVERIES) AND INCREASE  
APPROPRIATION ACCOUNT NUMBERS  
A 1010-319 (COUNCILMEN-MISC.  
SERVICES AND A 1010-414  
(CONFERENCES & SCHOOLS)

Co. Maloney offered the following resolution:

RESOLVED, to increase Revenue Account No. 01-002680  
(Insurance Recoveries) by \$2,350 and increase the following  
Appropriation Account Numbers:

A 1010-319 (Councilmen-Misc. Services.....\$ 350.00  
A 1010-414 (Conferences & Schools)..... 2,000.00

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (825-1986)

DECREASE APPROPRIATION  
ACCOUNT NO. A 1430-438  
(PERSONNEL-MAINTENANCE  
AGREEMENTS) AND INCREASE  
APPROPRIATION ACCOUNT NO. A  
1430-114 (PART TIME  
EMPLOYEES) AND INCREASE  
REVENUE ACCOUNT NO. 01-002680  
(INSURANCE RECOVERIES) AND  
APPROPRIATION ACCOUNT NO. A  
1430-201 (FURNITURE AND  
FURNISHINGS) - PERSONNEL

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1430-438  
(Personnel-Maintenance Agreements) and increase Appropriation Account  
No. A 1430-114 (Part Time Employees) by \$220, and be it

FURTHER RESOLVED, to increase Revenue Account No.  
01-002680 (Insurance Recoveries) and Appropriation Account No. A  
1430-201 (Furniture and Furnishings) by \$2,000.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (826-1986)

GRANTING PERMISSION TO HOLD  
DADDY VICTORY PARADE ON MAIN  
STREET, NEW CITY OCTOBER 26,  
1986

Co. Maloney offered the following resolution:

WHEREAS, Thomas J. Goldrick, Sheriff of Rockland County,  
as Chairman of the DADDY Victory Parade Committee, has requested

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RESOLUTION NO. (826-1986) Continued

permission to conduct a parade on Main Street, New City on Sunday, October 26, 1986, and

WHEREAS, the Town Board wishes to support the efforts of the DADDY (Dads Against Dangerous Drugs for Youth) organization,

NOW, THEREFORE, be it

RESOLVED, that the Town Board has no objection to the parade requested taking place provided that it be held not sooner than 2:00 P.M. and that the Clarkstown Police Department be conferred with so that arrangements for crowd control can be made, and provided further that the DADDY Victory Parade Committee secures a road closing permit from the Rockland County Highway Department which has jurisdiction over Main Street.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (827-1986)

ACCEPTING PERFORMANCE BOND OF  
MOUNT VERNON MANOR DEVELOP-  
MENT CORP. (MOUNT VERNON  
MANOR SUBDIVISION)

Co. Maloney offered the following resolution:

RESOLVED, that upon the request of Mount Vernon Manor Development Corp., Performance Bond No. NR16930 issued by North River Insurance Co. to Mt. Vernon Manor Development Corp. is hereby accepted in exchange for Money Market Certificate No. 258166693 issued by The Bank of New York previously assigned to the Town as security guaranteeing the roads and public improvements in the Mount Vernon Manor Subdivision.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (828-1986)

AUTHORIZING ATTENDANCE AT NEW  
YORK STATE ASSESSORS'  
ASSOCIATION CONFERENCE ON  
ASSESSMENT ADMINISTRATION  
(NICHOLAS A. LONGO AND ADAM  
P. KOPF)

Co. Maloney offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown and Adam P. Kopf, Real Property Appraiser for the Town of Clarkstown, are hereby authorized to attend the New York State Assessors' Association Conference on Assessment Administration from September 30, 1986 to October 3, 1986.

FURTHER RESOLVED, that all proper charges be charged against 1010-414.

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RESOLUTION NO. (828-1986) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (829-1986)

ACCEPTING DECLARATION OF  
COVENANTS MADE BY BERGSTOL  
(CONGERS CORNER SUBDIVISION)

Co. Maloney offered the following resolution:

RESOLVED, that a Declaration of Covenants made by ERIC BERGSTOL AND KENNETH BERGSTOL in connection with a subdivision known as CONGERS CORNER gratuitously conveying a 10 ft. road widening strip along Route 9W, Congers, New York, a State road, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (830-1986)

REFERRING PETITION FOR ZONE  
CHANGE (RS DISTRICT TO MF-3  
DISTRICT - MAP 107, BLOCK B,  
LOT 32) TO CLARKSTOWN  
PLANNING BOARD (TORSOE  
BROTHERS CONSTRUCTION)

Co. Carey offered the following resolution:

WHEREAS, an application dated March 4, 1986, by Torsoe Brothers Construction Corp., requesting a zone change from an RS District to an MF-3 District on property described as Map 107, Block B, Lot 32 was referred to the Planning Board on March 25, 1986, and

WHEREAS, the Planning Board had recommended that this matter be rereferred subsequent to the completion of the Route 59 Moratorium Study;

NOW, THEREFORE, be it

RESOLVED, that the petition referred to herein is rereferred to the Clarkstown Planning Board for study and recommendation, and be it

FURTHER RESOLVED, should any additional steps be required pursuant to the New York State Environmental Quality Review Act (SEQRA), the Town Board as lead agency hereby authorizes and directs Robert Geneslaw, Planning Consultant, to act as agent for the Town Board with respect to further SEQRA review.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (830-1986) Continued

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (831-1986)

REFERRING PETITION FOR OPEN  
DEVELOPMENT AREA (280-a(4) TO  
PLANNING BOARD (BRITTANY  
HOMES)

Co. Maloney offered the following resolution:

WHEREAS, Brittany Homes, Inc. was authorized, pursuant to Resolution No. 50, adopted January 14, 1986, to create an open development area for a subdivision pending before the Clarkstown Planning Board, and

WHEREAS, the Supreme Court of Rockland County has determined that the easement relied upon by the subdivision's last developer may not be used for vehicular traffic;

NOW, THEREFORE, be it

RESOLVED, that this matter is referred to the Planning Board for its investigation, report and recommendations to the Town Board, pursuant to Section 280-a(4) of the Town Law, as soon as practicable.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (832-1986)

REQUESTING CERTIFICATE OF  
NECESSITY FROM NEW YORK STATE  
DEPARTMENT OF TRANSPORTATION  
FOR ROAD LESS THAN THREE (3)  
RODS IN WIDTH (PORTION OF  
SOUTH HARRISON AVENUE)

Co. Maloney offered the following resolution:

WHEREAS, by resolution dated June 24, 1986, the Director of the Department of Environmental Control was authorized and directed to provide the design for a proposed road improvement project in accordance with a petition of the residents living on a portion of South Harrison Avenue, and

WHEREAS, the Department of Environmental Control has provided a detailed map showing the width of the new pavement and other pertinent physical features for said proposed road improvement project, and

WHEREAS, as proposed, a Certificate of Necessity is required from the New York State Department of Transportation for a road less than three (3) rods in width, and

WHEREAS, by consent dated June 23, 1986, the Superintendent of Highways of the Town of Clarkstown has given permission for a road less than three (3) rods in width;

NOW, THEREFORE, be it

Continued on Next Page

ABE633

RESOLUTION NO. (832-1986) Continued

RESOLVED, that pursuant to Section 200 of the Town Law, the Town Board hereby directs that the map referred to herein, consent of the Superintendent of Highways and a certified copy of the resolution adopted on June 24, 1986, be forwarded to the New York State Department of Transportation for the purpose of requesting the issuance of a Certificate of Necessity.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (833-1986)

SETTING PUBLIC HEARING RE  
CHANGE OF ZONE FROM R-15  
DISTRICT TO MF-3 DISTRICT -  
MAP 57, BLOCK A, LOTS 3 AND 4  
(ROBERT CHAMPEAU)

Co. Maloney offered the following resolution:

WHEREAS, ROBERT CHAMPEAU has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an R-15 district to an MF-3 district for property described on the Clarkstown Tax Map as Map 57, Block A, Lots 3 and 4;

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 13th day of November, 1986 at 8:05 P.M., relative to the proposed amendment, 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. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (834-1986)

MODIFYING CONTRACT FOR  
REHABILITATION OF KNAPP  
BUILDING

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (834-1986) Continued

WHEREAS, the Fire Inspector has reviewed the plans for the proposed renovations to the Knapp Building and has indicated that professional offices up to 15,000 sq. ft., one or two stories in height, do not require a sprinkler system, and

WHEREAS, Degenshein, Denker Associates, P.C. (Architects for the Knapp Building) indicate that all requirements noted in the Fire Inspector's memo were incorporated into the contract documents and will be completed by the contractor. They also stated that they were aware that the code does not expressly require a sprinkler system for this facility but they felt that it provided for additional safety, and

WHEREAS, Degenshein, Denker Associates, P.C. and the Department of Environmental Control has recommended additional work be accomplished, consisting of the following:

- |   |           |
|---|-----------|
| 1. Plumbing repairs   | \$ 400.00 |
| 2. Fireproofing of stairway leading from first to second floor                      | 200.00    |
| 3. Replacement of concrete sidewalk from front entrance to the rear entrance        | 600.00    |
| 4. Installation of drainage pipe at west side of building                           | 300.00    |
| 5. Additional landscaping to alleviate grass cutting in areas difficult to maintain | 500.00    |
| 6. The addition of vinyl soffitts and fascia  | 1,775.00  |
| 7. Removing rotten boards and supports from front porch                             | 1,400.00  |

NOW, THEREFORE, be it

RESOLVED, that the contract be reduced by \$5,500.00 to eliminate the installation of a sprinkler system, and be it

FURTHER RESOLVED, that authorization is granted to use this money to complete the extras recommended by Degenshein, Denker Associates, P.C. and the Department of Environmental Control.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....	Yes
Co. Maloney.....	Yes
Supervisor Holbrook.....	Yes
*****	

RESOLUTION NO. (835-1986)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM DRAINAGE WORK (BURDA LANE INTERSECTION OF FOXBURN STREET, NEW CITY - CHARGE TO DRAINAGE BOND CAPITAL ACCOUNT #2

Co. Maloney offered the following resolution:

WHEREAS, a drainage condition exists along Burda Lane at the intersection of Foxburn Street, New City;

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RESOLUTION NO. (835-1986) Continued

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways be authorized to perform corrective drainage work to install approximately 310 lineal feet of RCP along Burda Lane and under the intersection of Foxburn Street in accordance with the sketch prepared by the Department of Environmental Control for a sum not to exceed \$11,500.00, and be it

FURTHER RESOLVED, that the sum of \$11,500.00 be charged to the Drainage Bond Capital Account #2.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (836-1986)

GRANTING PERMISSION TO CLARKSTOWN AUXILIARY POLICE TO DISPENSE ALCOHOLIC BEVERAGES (LAKE NANUET PARK - SUNDAY SEPTEMBER 7, 1986)

Co. Maloney offered the following resolution:

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Auxiliary Police to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at the following event:

Picnic at Lake Nanuet Park  
Sunday, September 7, 1986

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (837-1986)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDINGS FOR REMOVAL OF VIOLATIONS - MAP 120, BLOCK H, LOTS 12.1 AND 20.1 (NORTHGATE GARDENS)

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

RESOLUTION NO. (837-1986) Continued

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

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOTS 12.1 and 20.1 located at Northgate Gardens, Central Nyack, New York, reputedly owned by NORTHGATE GARDENS, LTD. has been the subject of violation notices issued against the property owners for lack of proper maintenance of the property in that the premises has in excess of eight (8) unregistered automobiles and one (1) commercial vehicle over 4,000 lbs. gross weight located on the property, miscellaneous litter and debris, including but not limited to garbage, paper, automobile parts and tires on the south end of the premises, which to the extent that such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community; and

WHEREAS, said condition has existed without abatement for many months despite the order of the Building Inspector directing the property owner(s) to clear said nuisance and litter from the subject premises;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 120, BLOCK H, LOTS 12.1 and 20.1, reputedly owned by NORTHGATE GARDENS, LTD.; and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order and Notice upon the property owner(s) directing that the said nuisance, hazard and litter be removed within 10 days from the receipt of said Order and Notice, and be it

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of September, 1986, at 8:05 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 12, 1986.

Seconded by Co. Carey

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On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (838-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE PROCEEDINGS FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 120, BLOCK H.,  
LOT 7 (CRAYTON)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 7, located at Crest Drive, Central Nyack, New York, reputedly owned by HARRY CRAYTON, JR., has been the subject of a violation notice issued against the property owner(s) for lack of property maintenance of the property in that there is an unregistered vehicle, debris, litter and noxious weeds on the premises, to which extent that such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 120, BLOCK H, LOT 7, reputedly owned by HARRY CRAYTON, JR., and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order and Notice upon the property owner(s) directing that said nuisance, hazard and litter be removed within 10 days from the receipt of said Order and Notice, and be it

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of September, 1986, at 8:10 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

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RESOLUTION NO. (838-1986) Continued

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 12, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (839-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE PROCEEDINGS FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 120, BLOCK H,  
LOT 11 (DEUTSCH)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 11, located at Crest Drive, Central Nyack, New York, reputedly owned by JEANETTE LYNN DEUTSCH and LEE DEUTSCH and ANDREW DEUTSCH has been the subject of a violation notice issued against the property owners for lack of property maintenance of the property in that there is an unregistered vehicle on the premises, a pile of miscellaneous construction debris, plus equipment for masonry construction work, debris and litter, 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 120, BLOCK H, LOT 11, reputedly owned by JEANETTE DEUTSCH, LEE DEUTSCH and ANDREW DEUTSCH, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order and Notice upon the property owner(s) directing that said nuisance, hazard and litter be removed within 10 days from the receipt of said order and Notice, and be it

FURTHER RESOLVED, that the said Notice and Order shall advise the property owner(s) that upon failure to remove and otherwise correct the nuisance existing on said property that the Town Board

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RESOLUTION NO. (839-1986) Continued

may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owner(s) in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of September 1986, at 8:15 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 12, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (840-1986)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDING FOR REMOVAL OF VIOLATION ON PREMISES - MAP 120, BLOCK H, LOT 4.1 (ARMSTRONG)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 4.1, located at Crest Drive, Central Nyack, New York, reputedly owned by GEORGE T. ARMSTRONG, JR., has been the subject of a violation notice issued against the property owner(s) for lack of property maintenance of the property in that there is an unregistered vehicle on the premises, debris, litter and noxious weeds, 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 120,

RESOLUTION NO. (840-1986) Continued

BLOCK H, LOT 4.1, reputedly owned by GEORGE T. ARMSTRONG, JR., and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized on behalf of the Town Board to serve an Order and Notice upon the property owner(s) directing that said nuisance, hazard and litter be removed within 10 days from the receipt of said order and Notice, and be it

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of September, 1986, at 8:15 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 12, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (841-1986)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDINGS FOR REMOVAL OF VIOLATION ON PREMISES - MAP 127, BLOCK C, LOTS 16.1, 17, 17.1, 18 AND MAP 127, BLOCK B, LOTS 20.1 AND 21 (CONLON)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 127, BLOCK B, LOT 20.1 and 21 and MAP 127, BLOCK C, LOTS 16.1, 17, 17.1 and 18 located at Rosecrans Avenue, Congers, New

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RESOLUTION NO. (841-1986) Continued

York, have been the subject of violation notices issued against the property owners for lack of property maintenance of the property in that the premises are scattered with piles of old wood, construction material and equipment, metal frames, car parts, an unlicensed truck, a cash register, refrigerator with door still attached, wood planks, litter, debris, noxious weeds and an open excavation, which to the extent that such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community; and

WHEREAS, said conditions which presently exist on all of the aforesaid lots poses a threat 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, LOTS 20.1 and 21, and MAP 127, BLOCK C, LOTS 16.1, 17, 17.1 and 18, reputedly owned by JOHN CONLON, and others, and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of October, 1986, at 8:05 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 19, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (842-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE PROCEEDING FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 14, BLOCK D,

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RESOLUTION NO. (842-1986) Continued

LOT 29 AND 44 (NEW PLAN  
REALTY TRUST)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 14, BLOCK D, LOT 29 and 44, located at Grand Plaza Shopping Center, Route 59, Nanuet, New York, reputedly owned by NEW PLAN REALTY TRUST, has been the subject of a violation notice issued against the property owners for lack of property maintenance of the property in that there is garbage, miscellaneous debris, litter and noxious weeds on the premises, 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 14, BLOCK D, LOT 29 and 44, reputedly owned by NEW PLAN REALTY TRUST, and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of October 1986, at 8:10 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 19, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

ABE633

RESOLUTION NO. (842-1986) Continued

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (843-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE PROCEEDING FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 109, BLOCK F,  
LOT 12 (HELMCKE)

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(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 109, BLOCK F, LOT 12, located at 324 Kings Highway, Valley Cottage, New York, reputedly owned by HENRY HELMCKE, JR., has been the subject of a violation notice issued against the property owners for lack of property maintenance of the property in that there is miscellaneous construction material, window frames, debris and litter in the rear yard and storage of large quantities of fire wood in the side yard, 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 109, BLOCK F, LOT 12, reputedly owned by HENRY HELMCKE, JR., and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of October 1986, at 8:15 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

RESOLUTION NO. (843-1986) Continued

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 19, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (844-1986)

APPOINTING MEMBERS TO  
DEFERRED COMPENSATION  
COMMITTEE (PROFENNA,  
SQUILLACE, LODICO,  
DeCHRISTOFORO)

Co. Maloney offered the following resolution:

RESOLVED, to hereby appoint the following people to serve on the Deferred Compensation Committee:

Louis J. Profenna  
Elizabeth Squillace  
Dolores F. Lodico  
Ronald DeChristoforo

for the purpose of reviewing Deferred Compensation Plans.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (845-1986)

AUTHORIZING SUPERVISOR TO  
ENTER INTO LEASE AGREEMENT  
WITH CLARKSTOWN CENTRAL  
SCHOOL DISTRICT FOR RENTAL OF  
SCHOOL BUSES FOR  
TRANSPORTATION OF SENIOR  
CITIZENS

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a lease agreement with the Clarkstown Central School District for the period beginning September 1, 1986 and ending on June 30, 1987, for the rental of school buses for the purpose of transporting Senior Citizens, particularly in Town programs, to and from school facilities for the sum of \$1.00 per annum, providing there is adequate liability coverage to the Town of Clarkstown.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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ABE633

RESOLUTION NO. (846-1986)

ESTABLISHING CHANGES TO THE TRAFFIC CONTROL PATTERN AT CONGERS ROAD, NEW CITY INTERSECTION - CHANGING "NO PARKING" ON EAST SIDE MAIN STREET TO "NO STANDING ZONE" AND ESTABLISHING "LOADING ZONE" ON EAST SIDE OF MAIN STREET NEAREST CONGERS ROAD

Co. Maloney offered the following resolution:

WHEREAS, based upon the recommendation of Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated July 19, 1985 regarding the Main Street, New Hempstead Road, Congers Road, New City intersection, traffic flow will be improved by eliminating the combined phasing for the eastbound, westbound and inside clearance lane phases,

NOW, THEREFORE, be it

RESOLVED, that pursuant to the above mentioned report, Howard L. Lampert is to supply the exact signal phasing to split the existing combined phases into separate eastbound and westbound phases (split phase operation), and in addition combine these separate phases with offset north/south clearance phases, and be it

FURTHER RESOLVED, that Patricia A. Betz, Service Investigation Clerk is to arrange with Warde Electrical Contracting, Inc. the implementaion of these changes utilizing the existing traffic light controller, and be it

FURTHER RESOLVED, that John O'Sullivan, Supt. of Highways is hereby authorized to change the existing "No Parking" designation on the east side of Main Street at Congers Road to a "No Standing" zone, and be it

FURTHER RESOLVED, that a "Loading Zone" be established by eliminating the two (2) parking spaces on the east side of Main Street closest to Congers Road, thereby extending the right turn lane.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (847-1986)

AUTHORIZING PAYMENT TO HEARING OFFICER (PATRICK J. FINNEGAN, ESQ.) - CHARGE TO ACCOUNT NO. A 3120-409

Co. Carey offered the following resolution:

WHEREAS, the Police Commission has designated Patrick J. Finnegan, Esq., 15 Virginia Avenue, West Nyack, New York, as hearing officer to hear and report on charges presently pending against a member of the Clarkstown Police Department;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$5,000.00 is hereby appropriated from Account No. 3120-409 to pay for the per diem expense of said hearing officer which shall be charged against said sum, and be it

Continued on Next Page

RESOLUTION NO. (847-1986) Continued

FURTHER RESOLVED, that should the amount appropriated herein be insufficient, further sums may be authorized on application to the Town Board.

Seconded by Co. Maloney

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (848-1986)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO PROVIDE DESIGN SERVICES AND COST ESTIMATE FOR PROPOSED ROAD IMPROVEMENT DISTRICT (SOUTH HARRISON AVENUE) - ACCOUNT NO. A 8730-409

ABE633

Co. Maloney offered the following resolution:

WHEREAS, the Town Board on its own motion, pursuant to Section 200 of the Town Law, wishes to consider a road improvement project for an unimproved and undedicated portion of South Harrison Avenue, Congers, north of a parcel designated as No. 215 South Harrison Avenue to the intersection of Second Street, Congers;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized and directed to obtain the services of a licensed surveyor to survey and design a road improvement project for the portion of South Harrison Avenue referred to herein, and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall not exceed the sum of \$10,000.00 without further authorization from the Town Board, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (849-1986)

AMENDING RESOLUTION NO. 736-1986 RE ENGINEERING STUDY ON SOIL CONDITIONS VICINITY OF 34 JERRYS AVENUE, NANUET

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 736-1986, dated August 12, 1986, the Town Board authorized Tectonic Engineering Consultants to

RESOLUTION NO. (849-1986) Continued

conduct an engineering study on the soil conditions in the vicinity of 34 Jerrys Avenue, Nanuet, and

borings; WHEREAS, it is necessary to obtain two shallow soil

NOW, THEREFORE, be it

RESOLVED, that resolution No. 736-1986, dated August 12, 1986, is hereby amended to appropriate the additional sum of \$1,200.00 for a total appropriation of \$3,000.00 for the completion of said study.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (850-1986)

MEMORIALIZING COUNTY  
EXECUTIVE AND LEGISLATORS  
OPPOSING MOVE OF COUNTY  
OFFICES TO CHAMPION BUILDING,  
WEST NYACK

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown is opposed to the moving of the County Offices to the Champion Building in West Nyack, and be it

FURTHER RESOLVED, that the Clarkstown Town Board recommends expansion of County facilities on the Greenberg property that would address the long-term space shortage for the County and, at the same time, provide for a multi-level garage for county employees that would aid the parking situation in New City, and be it

FURTHER RESOLVED, that copies of this resolution be sent to County Executive, John Grant, and to all Rockland County Legislators.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (851-1986)

AUTHORIZING TOWN ATTORNEY TO  
INSTITUTE PROCEEDING FOR  
REMOVAL OF VIOLATION ON  
PREMISES - MAP 138, BLOCK H.  
LOT 18 (STERNGASS)

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

RESOLUTION NO. (851-1986) Continued

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

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 138, BLOCK H, LOT 18, located at Bobin Inn (Old) Route 9W, Rockland Lake, New York, reputedly owned by JACK STERNGASS, has been the subject of a violation notice issued against the property owner for lack of property maintenance of the property in that there are automobile engine parts in the front of the building, a kitchen cabinet, wooden wagon, miscellaneous litter and debris on the south side of the property, litter and debris behind the building and automobile tires, parts and other rubbish under the back porch of the building, 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 138, BLOCK H, LOT 18, reputedly owned by JACK STERNGASS, and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 14th day of October 1986, at 8:20 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before September 19, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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ABE633

RESOLUTION NO. (852-1986)

ACCEPTING DECLARATION OF  
COVENANT (JMK BUILDING CORP.  
- TIMBERLINE ASSOCIATES, INC.  
AND WHISPERING WINDS CO.)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Town  
Attorney, and pursuant to Resolution No. 651/86 of the Town Board  
adopted on June 25, 1986, a Declaration of Covenant dated August 29,  
1986, by JMK BUILDING CORP., TIMBERLINE ASSOCIATES INC. and WHISPERING  
WINDS CO., is hereby accepted and ordered recorded in the Rockland  
County Clerk's Office.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (853-1986)

AMENDING DECLARATION OF  
COVENANTS (TIMBERLINE  
ASSOCIATES, INC. - WHISPERING  
WINDS CO. AND JMK BUILDING  
CORP.)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Town  
Attorney, the Amended Declaration of Covenants dated August 29, 1986,  
by TIMBERLINE ASSOCIATES, INC., WHISPERING WINDS CO. and JMK BUILDING  
CORP. are hereby accepted and ordered recorded in the Rockland County  
Clerk's Office, pursuant to Resolution No. 650/86 dated June 25, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (854-1986)

ACCEPTING RESIGNATION OF  
COUNSELING AIDE (PART-TIME) -  
COUNSELING CENTER (ROBERT  
HANREHAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Robert Hanrehan, Jeanne  
Marie Gardens, Apt. 5, Nanuet, New York, Counseling Aide (part-time) -  
Counseling Center - is hereby accepted - with regret - effective and  
retroactive to August 29, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (855-1986)

APPOINTING POSITION OF  
(PART-TIME) COUNSELING AIDE -  
COUNSELING CENTER (TIMOTHY  
DOLAN)

Co. Maloney offered the following resolution:

RESOLVED, that Timothy Dolan, 29 Deerfield Drive, New City, New York, is hereby appointed to the position of (part-time) Counseling Aide - Counseling Center - at the current 1986 hourly rate of \$5.50 - effective September 9, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (856-1986)

ACCEPTING RESIGNATION OF REAL  
PROPERTY DATA COLLECTOR -  
ASSESSOR'S OFFICE (FRED KAGAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Fred Kagan, 4 Dorothy Drive, Spring Valley, New York, Real Property Data Collector - Assessor's Office - is hereby accepted - effective and retroactive to August 22, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (857-1986)

APPOINTING POSITION OF  
TEMPORARY REAL PROPERTY DATA  
COLLECTOR - ASSESSOR'S OFFICE  
(SALVATORE LANDRO)

Co. Maloney offered the following resolution:

RESOLVED, that Salvatore Landro, 544 Millburn Court, Valley Cottage, New York is hereby appointed to the position of temporary Real Property Data Collector - Assessor's Office - at the current 1986 annual salary of \$12,589.00 effective September 23, 1986 - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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ABE633

RESOLUTION NO. (858-1986)

GRANTING A SECOND PROVISIONAL  
APPOINTMENT TO POSITION OF  
REAL PROPERTY APPRAISER -  
ASSESSORS OFFICE (ADAM KOPF)

Co. Maloney offered the following resolution:

RESOLVED, that Adam Kopf, 1 Hillside Drive, New City, New York, is hereby granted a second provisional appointment to the position of Real Property Appraiser - Assessor's Office - at the current 1986 annual salary of \$21,130.00, effective September 15, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (859-1986)

CREATING TEMPORARY POSITION  
OF TYPIST - TOWN ATTORNEY'S  
OFFICE

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on September 2, 1986 that the temporary position of Typist - Town Attorney's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the temporary position of Typist - Town Attorney's Office - is hereby created - at \$6.00 per hour - effective September 10, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (860-1986)

APPOINTING TO POSITION OF  
TEMPORARY TYPIST - TOWN  
ATTORNEY'S OFFICE (BEATRICE  
MCCARTNEY)

Co. Maloney offered the following resolution:

RESOLVED, that Beatrice McCartney, Boxberger Road, Valley Cottage, New York, is hereby appointed to the position of temporary typist - Town Attorney's Office - at the current 1986 hourly rate of \$6.00 - effective September 10, 1986 - for a period not to exceed three (3) months.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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TBM - 9/9/86  
Page 37

RESOLUTION NO. (861-1986)

CREATING POSITION OF  
MAINTENANCE HELPER -  
MAINTENANCE DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 27, 1986 that the position of Maintenance Helper - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Maintenance Helper - Maintenance Department - is hereby created - effective September 10, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (862-1986)

APPOINTING POSITION OF  
TEMPORARY MAINTENANCE HELPER  
- MAINTENANCE DEPARTMENT  
(RICHARD DAVIDSON)

Co. Maloney offered the following resolution:

RESOLVED, that Richard Davidson, 1 Badger Street, New City, New York, is hereby appointed to the position of temporary Maintenance Helper - Maintenance Department - at the current 1986 annual salary of \$14,926.00, effective September 15, 1986 - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (863-1986)

ACCEPTING RESIGNATION OF  
MEMBER OF LITTER CONTROL  
BUREAU (CLARE WARD)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Clare Ward, 61 North Greenbush Road, West Nyack, New York, Member - Litter Control Bureau - is hereby accepted - with regret - effective and retroactive to August 19, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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ABE633

RESOLUTION NO. (864-1986)

APPOINTING TO POSITION OF  
MEMBER - BOARD OF ETHICS  
(FATHER DENNIS FERNANDES)

Co. Maloney offered the following resolution:

RESOLVED, that Father Dennis Fernandes, 128 Parrott Road, West Nyack, New York, is hereby appointed to the position of Member - Board of Ethics - (to fill the unexpired term of Rev. Edmund Netter) to serve without compensation - term effective on September 10, 1986 and to expire on March 25, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (865-1986)

APPOINTING TO POSITION OF  
DEPUTY RECEIVER OF TAXES AND  
ASSESSMENTS - RECEIVER OF  
TAXES OFFICE (DOLORES DAUBITZ)

Co. Maloney offered the following resolution:

RESOLVED, that Dolores Daubitz, 23 Sunrise Drive, Stony Point, New York, is hereby appointed to the position of Deputy Receiver of Taxes and Assessments - Receiver of Taxes Office - at the current 1986 annual salary of \$16,000.00 effective and retroactive to September 2, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (866-1986)

APPROPRIATING FUNDS FOR  
ROCKLAND COUNTY CENTER FOR  
THE PHYSICALLY HANDICAPPED

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Center for the Physically Handicapped, Inc. operates numerous programs within the Town of Clarkstown which provide vocational, clinical and academic services for the learning disabled and physically handicapped persons and also services for senior citizens care, and

WHEREAS, the Rockland County Center for the Physically Handicapped, Inc. is in need of funds to maintain its present level of services for residents of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the sum of \$5,000.00 is hereby appropriated from Account No. A 8840-424 for the purpose of assisting the Rockland County Center for the Physically Handicapped, Inc. to maintain its present level of services through December 31, 1986.

Seconded by Co. Carey

RESOLUTION NO. (866-1986) Continued

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (867-1986)

AUTHORIZING ATTENDANCE OF  
ASSISTANT BUILDING  
INSPECTORS, FIRE INSPECTORS  
AND CODE INSPECTORS AT STATE  
UNIFORM BUILDING CODE  
ENFORCEMENT COURSES - CHARGE  
ACCOUNT 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the Assistant Building Inspectors, Fire Inspectors and Code Inspectors of the Town of Clarkstown are authorized to attend State Uniform Building Code Enforcement courses when available, and be it

FURTHER RESOLVED, that all proper charges, if any, be charged against 1010-414.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (868-1986)

RESCHEDULING REGULAR TOWN  
BOARD MEETING OF NOVEMBER  
11TH TO NOVEMBER 13TH, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the regularly scheduled Town Board Meeting of Tuesday, November 11th is hereby rescheduled to Thursday, November 13th, 1986.

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

\*\*\*\*\*

RESOLUTION NO. (869-1986)

RESCHEDULING PUBLIC HEARING  
RE: LANDFILL VIOLATION  
(SCHETTINO) FROM SEPTEMBER  
11TH TO OCTOBER 2, 1986

Co. Maloney offered the following resolution:

RESOLVED, that the Public Hearing pursuant to Chapter 63 scheduled for 8:00 P.M., September 11, 1986 with respect to the alleged violation of Chapter 63 Sanitary Landfills (Schettino) is hereby adjourned to 8:00 P.M., October 2, 1986.

Continued on Next Page

ABE633

RESOLUTION NO. (869-1986) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

Co. Carey.....Yes  
Co. Maloney.....Yes  
Supervisor Holbrook.....Yes

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Councilman Maloney made a comment for the record and said that he had no objection at the time it was requested that Item No. 33 be moved to the beginning of the meeting. However, he stated that he realized now that if it hadn't been moved up there might not have been three votes to pass it and that bothers him.

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, time 9:45 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

183

Town Hall

9/9/86

8:15 P.M.

Present: Supervisor Dusanenko  
Councilmen Carey, Maloney, Nowicki  
(Councilman Lettre absent)  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

RE: AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON  
PREMISES DESIGNATED AS MAP 59, BLOCK A, LOT 1 (APFELBAUM)

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open. Town Attorney attested to the proper publication and notification.

Irene Saccende, Code Inspector of the Building Department of the Town of Clarkstown was sworn in by the Town Attorney.

Mrs. Saccende testified as to the hazardous condition of the property owned by Mr. Apfelbaum and presented dated and initialled photographs to attest to those conditions at 260 North Main Street.

Appearance: Mrs. Zippy Fleisher  
New City, New York

Mrs. Fleisher spoke with regard to the condition of the property which she says has been neglected since 1926.

Town Attorney asked if the property owner or anyone representing the property owner was present.

There being no one present on motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, time: 8:25 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

Resolution No.: (802-1986) ADOPTED

ABE633

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/9/86

8:27 P.M.

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

RE: AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON  
PREMISES DESIGNATED AS MAP 14, BLOCK C, LOT 20 (ANGONA)

On motion of Councilman Carey, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was declared open. Town Attorney stated that this was a hearing under Chapter 31 and testified as to proper publication and notification.

Mark Papenmeyer, Fire Inspector of the Town of Clarkstown was sworn in. He gave a detailed explanation of the condition of the property and submitted photographs.

Appearance: Mr. Armand Miele  
119 Main Street  
Nanuet, New York 10954

Mr. Miele stated that this property is an eyesore and brings down the value of all the properties in the area. He said someone was hanging around there last year and in fact had built a fire to keep warm. Mr. Miele said that he chased him away. He said this property is definitely detrimental to the neighborhood.

Councilman Nowicki stated that this property was in close proximity to many schools and also that all of the people on Main Street had worked very hard to maintain their properties.

Town Attorney felt that we should allow the owner ten days to remove the structure and if it is not done by the owner then the Town would have to do it going out to bid if the cost to the Town would exceed \$7,500.00.

Supervisor said that he would grant a ten day extension to the owner until September 19, 1986.

Town Attorney asked the Fire Inspector if in his (the Fire Inspector's) opinion, this constituted a threat to the health, safety and welfare of the community that this would require immediate removal without further waiting in the event the building is not removed within ten days? Fire Inspector said if we had waited this long we could afford to wait the ten days but if it is not removed then we should act as soon as possible.

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

Respectfully submitted,

*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

Resolution No.(803-1986) ADOPTED

ABE633

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/9/86

8:52 P.M.

Present: Supervisor Holbrook  
Councilmen Carey, Maloney - Councilman Nowicki left at  
this time  
Councilman Lettre absent  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

RE: AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON  
PREMISES DESIGNATED AS MAP 162, BLOCK A, LOT 2 (BETZ)

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

Town Attorney testified as to the proper publication  
and notification.

Irene Saccende, Town Code Inspector, was sworn in and  
testified as to the condition of the property.

Appearance: Mr. and Mrs. Stephen Boross  
13 Fisher Avenue  
Nanuet, New York 10954

They spoke regarding the condition of the site and also  
what was allowed under the zoning regulations on this particular  
site.

Appearance: Mr. Mike Oliva  
295 Hempstead Road  
Village of Hempstead

Mr. Oliva stated that he was buying the property and was  
in the process of cleaning up the same and that he will abide by the  
use that is permitted. He asked that the Board not take any action  
this evening since conditions are being corrected.

Supervisor said he would allow ten days to see if there  
was sufficient improvement in the area.

Town Attorney then acknowledged the presence of Robert  
Betz, one of the present owners of the property.

There being no one further wishing to be heard, on  
motion of Councilman Maloney, seconded by Councilman Carey and  
unanimously adopted, the Public Hearing was declared closed,  
RESOLUTION ADOPTED, time: 9:07 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

Resolution No. (804-1986) Adopted

ABE633

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

9/9/86

9:10 P.M.

Present: Supervisor Holbrook  
Councilmen Carey and Maloney  
Councilmen Lettre and Nowicki absent for this  
Public Hearing  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

RE: REMOVAL OF DEBRIS ON PREMISES DESIGNATED AS MAP 70, BLOCK B, LOT  
6 (KAREN)

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

Town Attorney testified as to proper posting and  
notification.

Town Attorney stated that he understood the conditions  
complained of had been corrected and Irene Saccende, Town Code  
Inspector said the owners are now in compliance and she would  
recommend discharging.

There being no one wishing to be heard on motion of  
Councilman Maloney, seconded by Councilman Carey and unanimously  
adopted, the Public Hearing was declared closed, time 9:15 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

ABE633