

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/18/86

8:18 P.M.

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

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

Supervisor read proclamation as follows:

"MABEL BIERDS DAY"
December 18, 1986

WHEREAS, after thirty-six years of dedicated service as an
Election Inspector, MABEL BIERDS is retiring, and

WHEREAS, MABEL was born in Tennessee and, after World War II,
moved to Clarkstown, where she has lived for the past
forty-one years, and

WHEREAS, she has been a Republican Committeewoman, is a member
of the Valley Cottage Senior Citizens Club and has
always shown much community spirit, civic
responsibility and concern for her family, friends and
neighbors,

NOW, THEREFORE, BE IT RESOLVED, that I, Charles E. Holbrook,
Supervisor of the Town of Clarkstown, on behalf of the Town Board
and all our residents, salute MABEL BIERDS for a "job well done" and
hereby proclaim the 18th day of December, 1986 as "MABEL BIERDS DAY"
in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED THIS 18TH
DAY OF DECEMBER, 1986.

S E A L

s/s Charles E. Holbrook
CHARLES E. HOLBROOK, Supervisor
Town of Clarkstown

Councilman William Carey then commended Mabel Bierds
for her years of unselfish dedication to the Town of Clarkstown.

Doris Nest, Vice Chairman of the Republican Committee
presented a certificate of appreciation to Mabel Bierds on behalf of
the Republican Committee of the community.

Councilman Maloney thanked all the members of the Drug
Abuse Prevention Council and then introduced Mr. Charles Giordino,
Administrative Assistant for Personnel of the Clarkstown School
District for the purpose of presenting the drug abuse grants to the
various project directors as follows:

| | | |
|--|----------|---|
| Debra Kagan, Clarkstown South High School | \$500.00 | To fund performance by the Rockland Players - "How to Resist Drugs and Peer Pressure." |
| Judy Hunter (accepted by Mr. McNeil) Nanuet Public Schools | \$500.00 | Create an alcohol education awareness group to serve children of alcoholics |

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|--|----------|--|
| Marie L. Caffrey R.C. Girl Scout Council, Inc. | \$ 93.60 | To fund "Tune in to Well-being, Say NO to Drugs" program for Rockland County Girl Scouts |
| Margalit Pashayan Woodglen PTA | \$500.00 | To further "IT'S O K TO SAY NO" program |
| David Murphy Strawtown PTA Accepted by Miss Mischetti | \$450.00 | To fund drama programs to teach awareness of self-esteem |
| Ellen Warner West Nyack Elementary School | \$325.00 | To fund "Positively Me" workshop to encourage positive self-images and develop and strengthen communication skills |
| Gail Mandel(not present) Clarkstown Senior High School South | \$100.00 | Production of an anti-substance abuse video program |
| James Barber(not present) Clarkstown Senior High School South | \$190.00 | To fund acquisition of video tape - "Coping with Peer Pressure: Getting Along Without Going Along" |

Mr. Giordino thanked the Town Board for their cooperation throughout the project.

Councilman Lettre thanked the committee and all the recipients of these funds. He commended them on their awareness in recognizing the need for a drug program and for not hiding their heads in the sand.

Councilman Maloney then said that the committee would be working throughout the year and there would be an evaluation of the programs to which the grants were given to see how effective these programs have been. This will help us in seeing how best to spend other monies which the Town Board may have available during the coming years.

Supervisor Holbrook then declared the public portion of the meeting open.

Appearance: Mrs. Lee Pound, President of the Clarkstown Unit of the CSEA, Local 844

Mrs. Pound spoke on behalf of the union membership and thanked the Town Negotiating Committee and the Town Board members for their contract. She mentioned that Clarkstown is the first in the County to have their contract signed on time.

Supervisor Holbrook thanked the Town Negotiating Committee and the CSEA for the professionalism that was demonstrated throughout the conduct of negotiations. He said he felt the contract was fair to both sides and it was due to the hard work of both sides.

Appearance: Mr. Jim Rudolph
Nanuet

Mr. Rudolph appeared regarding Item re construction of road improvement - North Fairview Avenue - and asked for an explanation of how the repayment plan would work for those people paying double frontage of 40% and if they would in fact be paying more than those actually fronting on the road. He asked if there had been a formula worked out?

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Supervisor Holbrook said they have worked on a formula and when they reach that item on the agenda he would have Mr. Bollman explain exactly what is taking place. He said he thought the Board had decided on a 60-40 split based upon 40% of the total for the people who back and 60% for those who front on Fairview Avenue. He said those figures would be available when that item is reached on tonight's agenda.

Appearance: Mr. Milton Levy
Normandy Village Tenant Association

Mr. Levy spoke regarding the Board not talking to tenants after having met with landlords. The 6% was not satisfactory and he then read from an article dated March 5, 1986 quoting Mr. Kenneth Torsoe. He said that everything in Normandy Village was against the tenants except for the grounds outside. He said the tenants were not paying a 6% increase but a 9% increase.

Supervisor Holbrook said that the Town board was not in favor of the adoption of ETPA. They believed the voluntary agreement with the landlords was better.

Mr. Levy said we agree with you but not at 6%.

Supervisor Holbrook said in light of some of the increases that were proposed by some of the apartment complexes in the Town of Clarkstown, and in one case in the Town of Haverstraw 22%, voluntary agreement of 6% was something that was workable at the time.

Councilman Carey said that he was opposed to ETPA and he thought the voluntary agreement by the landlords of 6% was satisfactory.

Councilman Lettre said that this issue was brought up a year ago and the landlords were contemplating far in excess of the 6% increase. He felt that ETPA would be a disadvantage to senior citizens since the landlords would then sell the rental units for condominiums.

Councilman Maloney then said that a committee had been set up and that the Board had heard how things were working in Haverstraw and in Spring Valley. When he asked to get some idea of how this ETPA had been working in municipalities in Westchester County we never really got an idea of whether this was working or not working. He said we have an agreement with the landlords and he said we can sit down with them again for further negotiations.

Councilman Nowicki said that members of the Town Board were opposed to ETPA. The voluntary agreement was better. She mentioned that her sister was Chairman of the Rent Guidelines Board in Westchester County and that police protection had to be brought in every time there was a meeting between the tenants and the landlords and we do not want that here.

Appearance: Mr. George Zuckerman, President
Normandy Village Tenants Association

Mr. Zuckerman said that he had a letter from Samuel L. Newman, an attorney who had been placed on the Vacancy Rent Committee by the Town Board to study ETPA and make recommendations and he read that letter dated November 24, 1986. Mr. Newman stated that he would be in favor of public hearing on ETPA. Mr. Zuckerman said he wanted a public hearing to air both sides.

Councilman Carey said that a public hearing would be futile since the Board does not want ETPA.

Councilman Lettre said that the germaine point is that this agreement that we feel is a good agreement has another year to

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run. If we feel that it is appropriate after that year this Town Board can take other action. We made an agreement in good faith with the landlords - who at the time were seeking 10%, 12% or 13% rent increases. The Committee came back with their report and we sat down with the report and with the landlords and worked out an agreement that we felt was beneficial to the people of the Town of Clarkstown.

Mr. Zuckerman inquired of the Town Clerk regarding his comments not being verbatim. Mrs. Sheridan, Town Clerk, explained to Mr. Zuckerman that the minutes were a brief, concise, accurate outline of what transpires at a meeting and were never intended to be verbatim transcripts.

Mr. Zuckerman said that the tenants did not have the opportunity to vote on the agreement between the Town Board and the landlords and the Town Board had not passed a resolution on this voluntary agreement.

Appearance: Mr. Dennis Lynch, Esq.
representing John O'Sullivan

He requested that as to the abandonment of Green and Tranquill Avenues he concurred with the recommendation of the Town Attorney that since Mr. O'Sullivan is involved as a litigant in some sort of joint property that the issue of any consideration by the Highway Superintendent pursuant to Highway Law Section 205 be referred to the Board of Ethics to make a determination before they make a consideration.

Appearance: Mr. Carmine Caputo
Topaz Court
Spring Valley, New York

Mr. Caputo spoke regarding the location of the proposed New City post office. Supervisor Holbrook said that there would be a meeting on December 23rd with Congressman Gilman regarding the site location. Postal authorities will also be present at the meeting. Mr. Caputo said if the Apfelbaum property is the only property the post office officials will accept he asked the Town Board to consider accepting it also because if they do not, then they may lose a new post office altogether. Supervisor said he is optimistic regarding the meeting as it is for the purpose of getting everyone on the same wave length.

RESOLUTION NO. (1204-1986) AUTHORIZING EXECUTION OF
CSEA CONTRACT

Co. Lettre offered the following resolution:

WHEREAS, negotiations have been in progress for many months between representatives of the Clarkstown Unit of the Rockland County Local 844 of the Civil Service Employees Association and representatives of the Town of Clarkstown, and

WHEREAS, those negotiations have resulted in a Memorandum of Agreement dated December 10, 1986, subject to ratification by the Town Board of the Town of Clarkstown, and

WHEREAS, the Town Board determines that said contract is in the best interest of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Memorandum of Agreement dated December 10, 1986, is hereby ratified and the Supervisor is hereby directed to execute a contract for the term January 1, 1987 to December 31, 1989, consistent with the terms of the Memorandum of Agreement, and be it

RESOLUTION NO. (1204-1986) Continued

FURTHER RESOLVED, that the Town Attorney is hereby directed to forward a copy of the said contract upon its execution to the Public Employment Relations Board, and further directed to file a copy of the executed contract in the Town Clerk's Office.

Seconded by Co. Maloney

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1205-1986)

AUTHORIZING FUNDS FOR AND
PRESENTATION OF GRANTS -
DRUG ABUSE PREVENTION
COUNCIL AND CHARGING TO
ACCOUNT NO. A 8840-424

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has established a Drug Abuse Prevention Council pursuant to local law, and

WHEREAS, by resolution dated June 24, 1986, the Town Board appropriated the sum of \$5,000 to provide for grants to Town of Clarkstown organizations or groups recommended by the Drug Abuse Prevention Council for the purposes of establishing programs or otherwise engaging in activities which would seek to prevent or combat drugs and other substance abuse problems within the Town, and

WHEREAS, the Drug Abuse Prevention Council has recommended certain grant awards be made;

NOW, THEREFORE, be it

RESOLVED, that the following persons are hereby awarded grants pursuant to the authority contained in Chapter 7 of the Town Code, as per the attached list, and be it

FURTHER RESOLVED, that the appropriations provided for herein shall be charged to Account No. A 8840-424.

Seconded by Co. Lettre

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1206-1986)

AMENDING ZONING ORDINANCE
FROM AN RS DISTRICT TO AN
MF-3 DISTRICT - ROCK APPLE
REALTY

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 23rd day of September, 1986, provided

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RESOLUTION NO. (1206-1986) Continued

for a public hearing on the 25th day of November, 1986, at 8:10 P.M., to consider the application of ROCK APPLE REALTY COMPANY, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner from an RS District to an MF-3 District, and

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines and finds that the requested zone change will be in the best interests of the community if the site was developed with town houses or other multifamily type units which will be fee ownership by individual owners because such form of ownership will provide property tax revenues more consistent with the level of community services which will be required than other forms of housing, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RS District to an MF-3 District, the following described property in the Hamlet of Congers, New York, in said Town, and be it

FURTHER RESOLVED, that this zone change is granted upon the condition that the certified record owner shall record a covenant for the benefit of the Town of Clarkstown which shall run with the land and which shall provide that no development of the subject premises shall be attempted unless the Planning Board of the Town of Clarkstown shall first approve a site plan limiting development to housing which shall be in the form of town houses or other form of housing where there is fee simple ownership of the land by the property owner. The required declaration must be in a form acceptable to the Town Attorney. Condominiums or rental type garden apartments shall not be permitted by said covenant.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1207-1986)

AUTHORIZING RENEWAL OF AN AGREEMENT WITH HI-TOR ANIMAL CARE CENTER, INC. FOR 1987

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into a renewal agreement with the Hi-Tor Animal Care Center, Inc., to utilize said facilities as an animal shelter and pound for the Town of Clarkstown for the period commencing January 1, 1987 and terminating on December 31, 1987, with all the other terms and conditions of the present agreement to remain the same, upon the recommendations of the Town Clerk and the Dog Control Officer.

Seconded by Co. Nowicki

On roll call the vote was as follows:

RESOLUTION NO. (1207-1986) Continued

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|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1208-1986)

GRANTING PERMISSION TO
CLARKSTOWN PARKS BOARD &
RECREATION COMMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES - SR. CITIZEN NEW
YEAR'S PARTY

Co. Lettre 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 Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at the following event:

Senior Citizen Club - Congers I

New Year's Party - December 31, 1986

Seconded by Co. Maloney

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1209-1986)

ESTABLISHING TIPPING FEES
PURSUANT TO REVISED CHAPTER
63 (LANDFILLS)

Co. Maloney offered the following resolution:

WHEREAS, Local Law Number 4-1986 entitled "RECODIFICATION OF CHAPTER 63 - LANDFILLS" was duly adopted by the Town Board and thereafter duly filed with the Secretary of State to become effective on December 19, 1986, and

WHEREAS, the revised Chapter 63 regulates the disposal of garbage and other solid waste within the Town of Clarkstown Sanitary Landfill and Section 63-8 provides that the Town Board may by resolution establish the disposal fees to be collected, and

WHEREAS, the Town Board intends to adjust the fees in accordance with current operating costs effective January 1, 1987,

NOW, THEREFORE, be it

RESOLVED, the fees for the disposal of garbage and other authorized waste in the Clarkstown Sanitary Landfill for the period December 19, 1986 through December 31, 1986 shall be as was previously established in Section 63-7 of the former Chapter 63, a

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RESOLUTION NO. (1209-1986) Continued

copy of which is appended hereto as Schedule "A", and be it

FURTHER RESOLVED, that the fee schedule effective January 1, 1987 shall be as follows:

1. Garbage, as defined in Chapter 50 - \$6.00 per ton.
2. All other types of refuse, waste or debris (except road building materials) - \$15.00 per ton, or part.
3. Mixed loads consisting of garbage and all other waste materials - \$15.00 per ton, or part.
4. Road building materials as defined in Chapter 50 of the Town Code - \$50.00 per trailer load; \$30.00 per tandem load; \$20.00 per six-wheel dump load.
5. There shall be no charge for passenger cars or commercial vehicles up to and including three-fourths (3/4) ton displaying a resident permit, provided that operator, upon request of the Department of Environmental Control, in writing on a questionnaire drawn pursuant to Section 63-10(F) certifies that the refuse or debris originated will be determined by registration and weight scale. All nonexempt pickup trucks shall pay a minimum fee of nine dollars (\$9.00) per load.
6. All commercial vehicles which shall not stop at the weight scale shall be charged for a full load at the demolition debris rate based on the full load capacity of the vehicle.

and be it

FURTHER RESOLVED, that the Director of Environmental Control shall immediately post the revised fee schedule and notify all licensed carters regularly using the Clarkstown Sanitary Landfill facility of the revised rates as soon as possible.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1210-1986)

DECREASING CAPITAL BOND
ACCOUNT H9710-25U-910
(DRAINAGE
IMPROVEMENTS-UNDESIGNATED
FUNDS) AND INCREASING
APPROPRIATION ACCOUNT
H9710-25P-06-409 (NEW
HEMPSTEAD ROAD, NEW CITY BY
\$1,809.19 AND CHARGING
\$15,139.80 TO DRAINAGE
BONDCAPITAL ACCOUNT II AND
DECREASE CAPITAL BOND
ACCOUNT H9710-25U-910 AND
INCREASE APPROPRIATION
ACCOUNT H9710-25P-86-03-409
(RIDGE ROAD, VALLEY
COTTAGE) BY \$3,131.37.

Co. Maloney offered the following resolution:

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RESOLUTION NO. (1193-1986) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the "30-Minute Parking" sign on the east side of Burnside Avenue, Congers be amended to read "30-Minute Parking - 5:00 P.M. to 6:00 A.M.", and be it

FURTHER RESOLVED, that the Superintendent of Highways is authorized to make the above correction.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (1194-1986)

RECOGNIZING APPOINTMENT BY THE POLICE COMMISSION OF TYPIST - POLICE DEPARTMENT (EILEEN TODD)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment as approved by the Town of Clarkstown Police Commission on November 26, 1986 of Eileen Todd, 100 Cedar Avenue, Pearl River, New York as Typist - Police Department - from Certification of Eligibles List Typist #CR-1 86-95 - at the current 1986 annual base salary of \$12,589.00, effective and retroactive to December 8, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilman Nowicki.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (1195-1986)

AUTHORIZING TOWN CLERK TO CHARGE FEE FOR COMMUTER PARKING PERMITS FOR KEMMER LANE COMMUTER PARKING LOT, NANUET

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 1079 dated December 31, 1985, the Town Board of the Town of Clarkstown designated Kemmer Lane, Nanuet, New York, as a commuter parking lot, pursuant to Section 71-2 of the Town Code of the Town of Clarkstown, and

WHEREAS, by Resolution No. 647-1986 dated June 24, 1986, the Town Board of the Town of Clarkstown amended Resolution No. 1079 to provide that the permits issued shall be charged at the rate of \$100.00 per year or any part thereof per vehicle;

NOW, THEREFORE, be it

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RESOLUTION NO. (1195-1986) Continued

RESOLVED, that the Town Clerk is hereby authorized and directed to issue permits only to residents of the Town of Clarkstown to enable such residents to use the designated commuter parking facility for the calendar year 1987, and be it

FURTHER RESOLVED, that permits issued pursuant to this resolution shall be charged at the rate of \$100.00 per year or any part thereof per vehicle.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

Mr. Sid Schulson spoke regarding the following item Regent Park (Item #13 on tonight's agenda). He requested that the resolution allow him to post a cash bond rather than a maintenance bond with the Town Attorney to replace the actual performance bond which is in place now. He said that would take the bonding company somewhere between four and six weeks to forward such a bond to the Town Attorney. Mr. Schulson said then he would like to post a cash bond in lieu of a maintenance bond and at the time this bond does come in replace the cash bond with this maintenance bond and take the cash back. He said that will enable him to get some of the people into their homes in Regent Park.

RESOLUTION NO. (1196-1986)

ACCEPTING ROADS AND RELATED IMPROVEMENTS IN TOWN OF CLARKSTOWN (REGENT PARK) - SOUTH CRANFORD ROAD, SCHWEITZER LANE, HILBURG COURT (MAINTENANCE BOND OR CASH BOND REQUIRED)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, deed from JODI-LYNN WASHOMATIC, INC., dated November 27, 1984, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of REGENT PARK, filed in the Rockland County Clerk's Office on February 25, 1985, in Book No. 103, at Page No. 20, as Map No. 5713, as follows:

| | |
|---------------------|------------|
| SOUTH CRANFORD ROAD | 1,720 L.F. |
| SCHWEITZER LANE | 724 L.F. |
| HILBURG COURT | 420 L.F. |

is hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording, and be it

FURTHER RESOLVED, that a Maintenance Bond or Cash Bond guaranteeing the roads and improvements for a period of one (1) year, posted by the developer in the amount of \$31,700 is hereby accepted, subject to receipt in the Town Attorney's Office of a duly executed authorization to convert a Performance Bond No. 180262 previously posted, to a Maintenance Bond or Cash Bond in the sum of \$31,700, and be it

RESOLUTION NO. (1196-1986) continued

FURTHER RESOLVED, that the written guarantee with security posted by the developer in the sum of \$29,925 for the completion of certain items is hereby accepted, and be it

FURTHER RESOLVED, that no documents shall be recorded and no formal acceptance of the deed until receipt of said Maintenance Bond or Cash Bond.

Seconded by Co. Nowicki

On roll call the vote was as follows:

Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (1197-1986)

AUTHORIZING TOWN OF
CLARKSTOWN CLAIMS
REPRESENTATIVE TO SETTLE
CLAIM FOR DAMAGES FROM
SEWER BACKUP (CALDARELLA)

Co. Maloney offered the following resolution:

WHEREAS, a claim of liability has been filed against the Town of Clarkstown involving damages to the premises of Anne Caldarella, 34 Medway Avenue, Congers, New York by a sewer backup on October 27, 1986, and

WHEREAS, Gallagher Bassett of New York, Inc., insurance adjusters for the Town of Clarkstown, has recommended negotiating a settlement,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown claims representative settle this claim for an amount not to exceed \$3,700.00.

Seconded by Co. Holbrook

On roll call the vote was as follows:

Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilman Nowicki.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (1198-1986) FAILED

AUTHORIZING TOWN ATTORNEY
TO APPEAL DECISION OF
SUPREME COURT (SUPER VALUE,
INC. V. ZONING BOARD OF
APPEALS)

Co. Holbrook offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of SUPER VALUE, INC. v. ZONING BOARD OF APPEALS of the Town of Clarkstown, and

WHEREAS, it is deemed appropriate that the decision be appealed;

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RESOLUTION NO. (1198-1986) Continued

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Lettre..... | No |
| Councilman Maloney..... | No |
| Councilman Nowicki..... | No |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1199-1986)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT
(NEWDON ASSOCIATES AND NEW
PLAN REALTY TRUST)

Co. Maloney offered the following resolution:

WHEREAS, Newdon Associates and New Plan Realty Trust has proposed that a balance of \$10,000 remaining in escrow may be used by the Town towards completion of work in the New City Shopping Center in compliance with the Site Plan as may be deemed necessary and proper, and

WHEREAS, an additional \$15,000 is to be contributed by Newdon Associates to the Town towards completion of work in the New City Shopping Center in compliance with the Site Plan, as may be deemed necessary and proper, and

WHEREAS, the Shade Tree Commission has indicated that this proposal is satisfactory to the Commission;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement, in a form satisfactory to the Town Attorney, accepting the aforesaid proposal.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1200-1986)

REJECTING ALL PROPOSALS
RECEIVED FOR BID #6-1987 -
CRUSHED STONE -
AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #6A-1987

Co. Maloney offered the following resolution:

RESOLVED, that all proposals received for

BID #6-1987
CRUSHED STONE

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RESOLUTION NO. (1210-1986) Continued

RESOLVED, to decrease Capital Bond Account H9710-25U-910 (Drainage Improvements-Undesignated Funds) and be it

FURTHER RESOLVED, to increase Appropriation Account H9710-25P-06-409 (New Hempstead Road, New City) by \$1,809.19.

WHEREAS, a drainage condition exists in the vicinity of Adele Road, West Nyack (Pagliuca Property)

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways be authorized to perform corrective drainage work for the sum of \$15,139.80 which represents material and equipment cost, and be it

FURTHER RESOLVED, that the sum of \$15,139.80 be charged to Drainage Bond Capital Account II.

RESOLVED, to decrease Capital Bond Account H9710-25-910 (Drainage Improvements-Undesignated Funds) and be it

FURTHER RESOLVED, to increase Appropriation Account H9710-25P-86-03-409 (Ridge Road, Valley Cottage) by \$3,131.37.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1211-1986)

ACCEPTING DRAINAGE
EASEMENT, SHELDON & BARBARA
ENDLICH, MAP 17, BLOCK A,
LOT 1.24.

Co. Maloney offered the following resolution:

WHEREAS, a drainage condition in the vicinity of property owned by Sheldon H. Endlich and Barbara G. Endlich was corrected and the property owners have offered to gratuitously grant a drainage easement to the Town of Clarkstown on property designated on the Clarkstown Tax Map as MAP 17, BLOCK A, LOT 1.24;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a drainage easement from SHELDON H. ENDLICH and BARBARA G. ENDLICH as more particularly described in the easement agreement dated November 26, 1986, and orders same recorded in the Rockland County Clerk's Office.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

ABE536

RESOLUTION NO. (1212-1986)

ACCEPTING DEEDS - BOWMAN BUILDERS, INC. AND STORMS COUNTRY ESTATES SUBDIVISION

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Town Attorney of the Town of Clarkstown, deeds dated October 10, 1986, between Bowman Builders, Inc. and the Town of Clarkstown for road widening purposes and a sanitary sewer easement as shown on a Final Plat of STORMS COUNTRY ESTATES Subdivision to be filed in the Rockland County Clerk's Office, are hereby accepted and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1213-1986)

SETTING DATE FOR PUBLIC HEARING JANUARY 27, 1987, KINGSGATE CONDOMINIUMS, EXTENTION OF WATER DISTRICT NO. 1

Co. Carey offered the following resolution:

WHEREAS, on motion of the Town Board of the Town of Clarkstown, Rockland County, New York for the Town of Clarkstown calling for the extension of Water District Number 1 in the said Town, to be bounded and described as follows: Tax Map 164, Block A, Lots 34.01, 34.02; Map 165 Block B, Lots 2,3,4, and Lots 33 through 298.

NOW THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 27th day of January, 1987, at 8:20 P.M. to consider the said extension and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Councilman Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1214-1986)

SETTING PUBLIC HEARING , JANUARY 27, 1987, RE ABANDONMENT OF ROADS WITHIN DEKA SUBDIVISION

RESOLUTION NO. (1214-1986) Continued

Co. Maloney offered the following resolution:

WHEREAS, a petition has been filed by D.E.K.A. Construction Corp., requesting that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Town Law Section 273 and Highway Law Section 205 to declare that portions of mapped but unimproved roads described herein have been abandoned for use by the public because same have never been opened or used by the public and therefore the public right-of-ways may be deemed abandoned, and

WHEREAS, said roads are shown on a survey entitled, "Sketch Plat, Subdivision of Property for D.E.K.A. Construction Corp., Town of Clarkstown, Rockland County, New York," last revised on July 22, 1986, prepared by Atzl & Scatassa Associates, P.C., as shown on Schedule "A" attached, consisting of a portion of Lawrence Street; a portion of State Street; a portion of Conger Avenue, and a portion of Rockland Avenue, Congers, New York, and also appears on the Official Map of the Town of Clarkstown, and the applicant has further requested that such allegedly abandoned right-of-ways be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portions as described above;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 27th day of January, 1987, at 8:05 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said public hearing be published in the Journal News and posted in the manner provided by law, and be it

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

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

FURTHER RESOLVED, that a copy of this resolution be referred to the Rockland County Planning Board for its report and recommendation, if any, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

Continued on Next Page

ABE536

RESOLUTION NO. (1214-1986) Continued

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

RESOLUTION NO. (1215-1986)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO IMPLEMENT
RECOMMENDATION OF TRAFFIC &
TRAFFIC FIRE SAFETY
ADVISORY BOARD RE TRAFFIC
SIGNS DEMAREST MILL ROAD,
WEST NYACK

Co. Maloney offered the following resolution:

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

Two (2) "15 MPH" signs. Erect the first 200 ft. north
of the north entrance of the Clarkstown Sr. High School south on
Demarest Mill Road, West Nyack. Install the second, 200 feet south
of the school's entrance, and be it

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

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1216-1986)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #8-1987, SALE OF
SURPLUS OFFICE EQUIPMENT

Co. Maloney offered the following resolution:

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

BID #8-1987

SALE OF SURPLUS OFFICE EQUIPMENT

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 (A.M.) on Monday,
January 12, 1987 at which time bids will be opened and read, and be
it

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

Seconded by Co. Nowicki

RESOLUTION NO. (1216-1986) Continued

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1217-1986)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #11-1987, BITUMINOUS
CONCRETE

Co. Maloney offered the following resolution:

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

BID #11-1987

BITUMINOUS CONCRETE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, January
26, 1987, at which time bids will be opened and read, and be it

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

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1218-1987)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #10-1987,
GROUNDSKEEPING/LANDSCAPING
SUPPLIES

Co. Maloney offered the following resolution:

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

BID #10-1987

GROUNDSKEEPING/LANDSCAPING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
January 28, 1987, at which time bids will be opened and read, and be
it

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

Seconded by Co. Nowicki

ABE536

RESOLUTION NO. (1218-1986)

On roll call the vote was as follows:

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

RESOLUTION NO. (1219-1986)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #12-1987, POLICE
VEHICLES

Co. Maloney offered the following resolution:

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

BID #12-1987

POLICE VEHICLES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, January
12, 1987, at which time bids will be opened and read, and be it

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

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1220-1986)

AUTHORIZING THE
SUPERINTENDENT OF HIGHWAYS
TO PLOW UNDEDICATED STREETS

Co. Maloney offered the following resolution:

WHEREAS, heavy snowfalls and other inclement weather
may create hazardous conditions and cause a state of emergency to
exist in the Town of Clarkstown and unplowed or impassable roads may
pose an increased danger to life and property as a result of fire,
sickness, lack of food and medical assistance to persons residing on
unplowed or impassable streets;

NOW, THEREFORE, be it

RESOLVED, that pursuant to the authority granted under
Executive Law, Section 24(4), the Supervisor of the Town of
Clarkstown is hereby authorized to use any and all facilities,
equipment, supplies, personnel under his control and direction and
other resources of the Town of Clarkstown in such a manner as may be
necessary or appropriate to cope with any natural emergency created
by an extraordinary fall of snow or other weather condition, and be
it

RESOLUTION NO. (1220-1986) Continued

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Superintendent of Highways to use personnel and equipment to plow undedicated streets in the Town of Clarkstown during such heavy snowfall or other conditions, if necessary to prevent imminent hazard to life and property.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1221-1986)

AUTHORIZING REDUCING
PERFORMANCE BOND - J.M.K.
BUILDING CORP. RE "QUAIL
HOLLOW" SUBDIVISION

Co. Maloney offered the following resolution:

WHEREAS, a Performance Bond No. 936766, J.M.K. BUILDING CORP., as Principal and John Knutsen and Magny Knutsen as Co-Principals, and REPUBLIC INSURANCE COMPANY as Surety, dated September 27, 1982, in the amount of \$210,700 covering the improvements and other facilities as shown on the Final Plat of "QUAIL HOLLOW" filed in the Rockland County Clerk's Office on November 10, 1982, in Book No. 99 at Page No. 38, as Map No. 5431 was furnished to the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, the amount of security for the completion of the public improvements and other facilities shown in said subdivision is hereby reduced to the sum of \$27,000 provided the surety shall provide evidence in writing that the obligations of the surety shall continue unaffected except for the reduced amount, and provided further that the developer enters into a Performance Agreement in a form acceptable to the Town Attorney; and be it

FURTHER RESOLVED, that Resolution No. 1115 adopted November 13, 1986, reducing said bond is hereby rescinded and replaced as aforesaid.

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1222-1986)

AWARDING BID #60-1986,
PORTABLE GENERATOR TO RUDOX
ENGINE AND EQUIPMENT CO.
AND CHARGING IT TO ACCOUNT
B8110-219

Co. Maloney offered the following resolution:

Continued on Next Page

ABE536

RESOLUTION NO. (1222-1986) Continued

RESOLVED, that based upon the recommendation of the Director of Environmental Control and the Director of Purchasing that:

BID #60-1986
PORTABLE GENERATOR

is hereby awarded to:

RUDOX ENGINE AND EQUIPMENT CO.
PO BOX 467
765 ROUTE 17
CARLSTADT, NJ 07072

for one (1) LISTER HAWKPOWER AIR COOLED DIESEL ELECTRIC SYSTEM GENERATOR at the low bid proposal of \$10,568.00, and be it

FURTHER RESOLVED, that funds for same be charged to account B8110-219.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1223-1986)

AWARDING BID 63-1986 SALE
OF SURPLUS TELEPHONE
EQUIPMENT TO STAR
COMMUNICATIONS, INC.

Co. Maloney offered the following resolution:

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

BID 63-1986
SALE OF SURPLUS TELEPHONE EQUIPMENT

is hereby awarded to:

STAR COMMUNICATIONS, INC.
1428 MIDLAND AVENUE
BRONXVILLE, N.Y. 10708

as per their high bid proposal of \$425.00

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1224-1986)

AUTHORIZING CHARLES F.
CONNINGTON, ASST. SUPT. OF
RECREATION AND PARKS TO
ATTEND THE NATIONAL
RECREATION AND PARK
ASSOCIATION MID-ATLANTIC

RESOLUTION NO. (1224-1986) Continued

REGIONAL MEETING AND CHARGE
IT TO 1986: A7141-414 -
\$125.00; 1987: A7141-414 -
\$315.00

Co. Maloney offered the following resolution:

RESOLVED, that Charles F. Connington, Asst. Supt. of Recreation and Parks, is hereby authorized to attend the National Recreation and Park Association Mid-Atlantic Regional Meeting and Program Forum from January 28, 1987 to January 31, 1987 in Claymont, Delaware, and

FURTHER RESOLVED, that all necessary expenses not to exceed \$440.00 be charged as follows:

1986: A7141-414 - \$125.00

1987: A7141-404 - \$315.00

Seconded by Co. Carey

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1225-1986)

SETTING PUBLIC HEARING ON
DECEMBER 31, 1986 ON
PROPOSED LOCAL LAW -
AMENDMENT TO SECTION 91-18
OF THE TOWN CODE RE PERMIT
FEES

Co. Maloney offered the following resolution:

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT OF SECTION 91-18 OF CHAPTER 91 (STREETS AND SIDEWALKS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO INCREASE THE PERMIT FEE FROM \$50.00 TO \$100.00 FOR ALL PERMITS REQUIRED FOR EXCAVATION IN THE PUBLIC RIGHT-OF-WAY,"

and

WHEREAS, the Town Board of the Town of Clarkstown consider that it is in the best interest of the Town that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 31st day of December, 1986 at 12:10 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

Continued on Next Page

ABE536

RESOLUTION NO. (1225-86) Continued

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

FURTHER RESOLVED, that this resolution shall be made retroactive to December 15, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1226-1986)

AUTHORIZING PAYMENT OF
\$370.25 TO MARGARETANN RIES
RE TRANSCRIPT OF URI SASSON

Co. Maloney offered the following resolution

RESOLVED, that the sum of \$370.25 be paid to MARGARETANN RIES, Secretary to the Board of Appeals for the preparation of the transcript of URI SASSON, Appeal No. 2006.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (1227-1986)

AUTHORIZING PAYMENT
(WIENKEN) ACQUISITION AND
CHARGED TO CAPITAL ACCOUNT
NO. 2

Co. Maloney offered the following resolution:

RESOLVED, that deed dated November 24, 1985, from MARINE MIDLAND BANK, N.A. as Conservator for Lily A. Wienken, conveying a portion of premises designated on the Clarkstown Tax Map as

Map 127, Block J, Lot 5, for the construction of sidewalks on Lake Road, Congers, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the sum of \$2,749.03 for said acquisition be charged to Capital Account No. 2.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1228-1986)

ACCEPTING TOWN BOARD
MEETINGS OF NOVEMBER 13,
25, AND DECEMBER 9 AND
SPECIAL TOWN BOARD MEETINGS
OF DECEMBER 2 AND 3

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the regular Town Board meetings of November 13, 25, December 9 and the special Town Board meetings of December 2 and 3 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1229-1986)

SCHEDULING SPECIAL TOWN
BOARD MEETING FOR JANUARY
15, 1987

Co. Maloney offered the following resolution:

RESOLVED, that a special Town Board meeting shall be scheduled for Thursday, January 15, 1987 at 8:00 P.M.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1230-1986)

AUTHORIZING NICHOLAS LONGO,
ASSESSOR, TO ATTEND NEW
YORK STATE BOARD OF
EQUALIZATION & ASSESSMENT
CERTIFICATION & TRAINING
SCHOOL AND CHARGING IT
AGAINST 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown is hereby authorized to attend the New York State Board of Equalization & Assessment Certification & Training School (Income Approach Course) from January 4, 1987 to January 9, 1987 in Elizabeth Town, New York.

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

Seconded by Co. Nowicki

On roll call the vote was as follows:

Continued on Next Page

ABE536

RESOLUTION NO. (1230-1986) Continued

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

RESOLUTION NO. (1231-1986)

APPOINTING JOHN FAY TO
POSITION OF MAINTENANCE
SUPERVISOR - ENVIRONMENTAL
CONTROL

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles Maintenance Supervisor #86262
which contains the name of John Fay,

NOW, THEREFORE, be it

RESOLVED, that John Fay, 317 Brewery Road, West Nyack,
New York, is hereby appointed to the position of Maintenance
Supervisor (Sewerage Systems) - Department of Environmental Control
- at the current 1986 annual salary of \$29,772., effective December
19, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1232-1986)

APPOINTING RALPH LAURIA TO
THE POSITION OF ENGINEER
II, DEPARTMENT OF
ENVIRONMENTAL CONTROL

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #86001 Engineer II which
contains the name of Ralph Lauria,

NOW, THEREFORE, be it

RESOLVED, that Ralph Lauria, 14 Gladys Drive, Spring
Valley, New York is hereby appointed to the position of Engineer II
- Department of Environmental Control - at the current 1986 annual
salary of \$29,403. (Grade 29B) - effective and retroactive to
December 3, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1233-1986)

APPOINTING RENEE KIRSCHNER
TO THE POSITION OF
PART-TIME TYPIST,
COUNSELING CENTER. PENDING
CLASSIFICATION OF THE
POSITION

Co. Maloney offered the following resolution:

RESOLVED, that Renee Kirschner, 17 Farm Court, New City, New York, is hereby appointed to the position of part-time Typist - Counseling Center - for a period not to exceed 30 days (pending classification of the position) - at the current 1986 hourly rate of \$6.00 - effective and retroactive to November 24, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1234-1986)

CREATING POSITION OF
PART-TIME TYPIST -
COUNSELING CENTER

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 10, 1986 that the part-time Typist position can be created.

NOW, THEREFORE, be it,

RESOLVED, that the part-time Typist position - Counseling Center - is hereby created - effective and retroactive to December 10, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1235-1986)

APPOINTING RENEE KIRSCHNER
TO POSITION OF PART-TIME
TYPIST - COUNSELING CENTER
AT \$6.00 PER HOUR

Co. Maloney offered the following resolution:

RESOLVED, that Renee Kirschner, 17 Farm Court, New City, New York, is hereby appointed to the position of part-time Typist - Counseling Center - for a period not to exceed 30 days (pending classification of the position) - at the current 1986 hourly rate of \$6.00 - effective and retroactive to December 10, 1986.

Seconded by Co. Nowicki

ABE536

RESOLUTION NO. (1235-1986) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (1236-1986)

RESCINDING RESOLUTION NO.
1055 - ACCEPTING
RESIGNATION OF JERRY B. BLOW

Co. Maloney offered the following resolution:

RESOLVED, that Resolution #1055 adopted at the Town Board meeting of October 28, 1986 (accepting the resignation of Jerry B. Blow) is hereby rescinded.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1237-1986)

ACCEPTING RESIGNATION OF
JERRY B. BLOW - COUNSELING
CENTER

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Jerry B. Blow, 46 Maple Avenue, New City, New York - Counseling Center - is hereby accepted - effective and retroactive to December 12, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1238-1986)

APPOINTING JUDITH GUTTMAN
TO THE POSITION OF
COUNSELING AIDE -
COUNSELING CENTER

Co. Maloney offered the following resolution:

RESOLVED, that Judith Guttman, 8 Plains Drive, New City, New York, is hereby appointed to the position of Counseling Aide - Counseling Center - at the current 1986 annual salary of \$14,299., effective and retroactive to December 15, 1986.

Seconded by Co. Nowicki

RESOLUTION NO. (1238-1986) Continued

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1239-1986)

APPOINTING GEORGE TRUMPER
TO THE POSITION OF
ASSISTANT BUILDING
INSPECTOR, BUILDING
DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Assistant Building Inspector #86228 which contains the name of George Trumper

NOW, THEREFORE, be it

RESOLVED, that George Trumper, 23 Williams Avenue, Spring Valley, New York, is hereby appointed to the position of Assistant Building Inspector - Building Department - at the current 1986 annual salary of \$17,739., effective December 18, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1240-1986)

APPOINTING ELAINE APPELBAUM
TO THE POSITION OF SENIOR
RECREATION LEADER -
RECREATION DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Recreation Leader #86265 which contains the name of Elaine Apfelbaum.

NOW, THEREFORE, be it

RESOLVED, that the Town Board recognizes the Appointment of Elaine Apfelbaum, 3 Alan Court, New City, New York, to the position of Senior Recreation Leader (permanent) by the Clarkstown Parks Board and Recreation Commission at the annual salary of \$18,890., effective December 11, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

ABE536

RESOLUTION NO. (1241-1986)

RECLASSIFYING THE POSITION
OF MAINTENANCE MECHANIC
(BUILDING) TO MAINTENANCE
MECHANIC II - GRADE 25

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on October 20, 1986 that the Maintenance Mechanic (Building) position can be reclassified to the position of Maintenance Mechanic II,

NOW, THEREFORE, be it

RESOLVED, that the Maintenance Mechanic (Building) position is hereby reclassified to the position of Maintenance Mechanic II Grade 25 - effective December 22, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1242-1986)

APPOINTING CHARLES MANERI,
TO THE POSITION OF
MAINTENANCE MECHANIC II -
MAINTENANCE DEPARTMENT ,
GRADE 25

Co. Maloney offered the following resolutionL

RESOLVED, that Charles Maneri, 2 Twin Peg Drive, New City, New York is hereby appointed to the position of Maintenance Mechanic II - Maintenance Department - Grade 25 - effective December 22, 1986.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION No. (1243-1986)

GRANTING A CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF THE CODE
OF THE TOWN OF CLARKSTOWN -
NO. 87-2 ISSUED TO CAL MART
CONSTRUCTION CORP.

Co. Nowicki offered the following resolution:

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

CAL MART CONSTRUCTION CORP.
Martin C. Wortendyke
357-A Route 59
West Nyack, New York 10994

RESOLUTION NO. (1243-1986) Continued

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued, and be it

FURTHER RESOLVED, that the Certificate of Registration referred to herein shall terminate on May 1, 1987, unless a Certificate of Insurance for coverage through December 31, 1987 is received on or before said date.

No. 87-2 issued to Cal Mart Construction Corp.

Seconded by Co. Maloney

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

ABE536

RESOLUTION NO. (1244-1986)

GRANTING A CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 OF THE CODE OF THE TOWN OF CLARKSTOWN - RONALD J. TARIGO

Co. Nowicki offered the following resolution:

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

RONALD J. TARIGO
5 Capral Lane
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 87-1 issued to Ronald J. Tarigo

Seconded by Co. Maloney

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1245-1986)

AUTHORIZING RELEASE OF MAINTENANCE BONDS WITH REGARD TO DEDICATED SUBDIVISION - CLAL CONSTRUCTION CORP.

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, maintenance bond secured by a passbook in the sum of \$2,825.00

RESOLUTION NO. (1245-1986) Continued

furnished to the Town in connection with dedication of the road and improvements on May 14, 1985, in a subdivision known as CLAL CONSTRUCTION CORP. is terminated and the sum of \$2,825.00 may be released to the guarantor.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1246-1986)

AUTHORIZING RELEASE OF
MAINTENANCE BONDS WITH
REGARD TO DEDICATED
SUBDIVISION - DORCHESTER
ESTATES

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond No. 938951 furnished to the Town in connection with dedication of the road and improvements on December 11, 1984, in a subdivision known as DORCHESTER ESTATES is terminated and the bond considered released.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1247-1986)

AUTHORIZING RELEASE OF
MAINTENANCE BOND WITH
REGARD TO DEDICATED
SUBDIVISION - BROOKLINE
MANOR, SECTION II

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond No. 940950 furnished to the Town in connection with dedication of the road and improvements on November 13, 1984, in a subdivision known as BROOKLINE MANOR., Section II, is terminated and the bond considered released.

Seconded by Co. Nowicki

On roll call the vote was as follows:

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

RESOLUTION NO. (1248-1986)

AUTHORIZING THE SUPERVISOR
TO ACCEPT DISTRIBUTION OF
SUPPLEMENTAL APPROPRIATION
COMMUNITY DEVELOPMENT FUNDS
- CONSTRUCTION OF CENTRAL
NYACK COMMUNITY CENTER
MULTI-PURPOSE ROOM

Co. Maloney offered the following resolution:

WHEREAS, under Title I of the Housing Community
Development Act of 1974, as amended, the Secretary of Housing and
Urban Development is authorized to make grants to states and local
governments to help finance Community Development Programs, and

WHEREAS, the Town of Clarkstown was previously notified
that the sum of \$40,000.00 was allocated to the Town of Clarkstown
for 1986 as a participant in the Rockland County Consortium, and

WHEREAS, the Town has been notified that a supplemental
appropriation in the amount of \$10,107.00 is to be allocated to the
Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown
hereby accepts this additional allocation and recommends that the
said sum be used towards the cost of construction of the Central
Nyack Community Center multi-purpose room.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (1249-1986)

AUTHORIZING PAYMENT OF
HEARING OFFICER, ANDREW
STOLLAR, AND CHARGED TO
ACCOUNT NO. A3120-409

Co. Maloney offered the following resolution:

WHEREAS, the Police Commission has adopted a resolution
appointing Andrew Stollar, Esq., 49 Ridge Avenue, Spring Valley, New
York as a hearing officer with respect to charges filed against
Police Officer Aldo Del Rosario, dated on or about November 7, 1986,
and

WHEREAS, the Town Board wishes to provide for payment
for the hearing officer,

NOW, THEREFORE, be it

RESOLVED, that Hearing Officer, Andrew Stollar, shall
be paid the sum of \$100.00 an hour for services provided to conduct
hearings, study and report as requested by the Police Commission,
and be it

FURTHER RESOLVED that all amounts and charges pursuant
to this resolution as approved by the Police Commission, shall be
charged to Account Number A3120-409.

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

ABE536

RESOLUTION NO. (1249-1986) Continued

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1250-1986)

SETTING PUBLIC HEARING
JANUARY 27, 1986 FOR
ALLEGED VIOLATIONS OF
CHAPTER 63 OF THE TOWN CODE
- R & R CARTING DISPOSAL,
INC.

Co. Maloney offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that R & R CARTING DISPOSAL, INC., located at 208 Orange Avenue, Suffern, New York, a garbage carter authorized to use the Clarkstown Sanitary Landfill has violated certain provisions of Chapter 63 of the Town Code of the Town of Clarkstown entitled, "Landfills," which are required to be observed by carters who dump in the Clarkstown Sanitary Landfill, in that garbage/debris from outside the Town of Clarkstown was dumped therein on or about December 16, 1986 without the permission of the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to prepare Charges and Specifications and serve notice thereof upon R & R CARTING DISPOSAL, INC., for a hearing to be held before the Town Board of the Town of Clarkstown on January 27, 1987 at 9:00 P.M. in Room 311 at Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (1251-1986)

RECONVENING PUBLIC HEARING
- C & A CARBONE, INC.,
JANUARY 6, 1987

Co. Maloney offered the following resolution:

WHEREAS, on November 20, 1986 a public hearing was convened before the Town Board of the Town of Clarkstown with respect to allegations made against C & A CARBONE, INC., alleging violation of Chapter 63 (Landfills), and

WHEREAS, settlement discussions resulted in a proposal for a Consent Determination and the matter was adjourned subject to the Respondent conferring with the Sanitation Commission, and

WHEREAS, the proposed Consent Determination discussed has not been filed in the Town Attorney's Office;

NOW, THEREFORE, be it

RESOLUTION NO. (1251-1986) Continued

RESOLVED, that the public hearing which commenced on November 20, 1986 shall be reconvened on January 6, 1987 at 9:00 P.M. in Room 311 of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED, that the attorney for the Respondent shall be notified by mail of the date established herein.

Seconded by Co. Nowicki

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

Prior to the adoption of the following resolution there was dialogue between those residents present and the Supervisor, Les Bollman and John Costa explaining the division of payment.

RESOLUTION NO. (1252-1986)

AUTHORIZING CONSTRUCTION OF
ROAD IMPROVEMENT - FRONTING
ON NORTH FAIRVIEW AVENUE,
NANUET

Co. Maloney offered the following resolution:

WHEREAS, by resolution adopted on February 11, 1986 on Motion of the Town Board of the Town of Clarkstown, the Director of Environmental Control was authorized to prepare plans and specifications and to make an estimate of expenses to establish a road improvement district for premises fronting on North Fairview Avenue, Nanuet, New York, for a frontage distance of approximately 1,043 ft., as indicated on the attached Schedule "A," and

WHEREAS, by report dated September 4, 1986, the Director of Environmental Control duly presented to the Town Board an estimate of cost of the proposed project and detailed drawings depicting same, and

WHEREAS, by resolution adopted on September 23, 1986, the Town Board ordered that a public hearing be held on the 25th day of November, 1986, at 8:05 P.M., to consider the creation of such road improvement district, and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place, concerning same, and

WHEREAS, the maximum amount proposed to be expended for the improvement as described in the estimate and plan of the Director of Environmental Control is \$100,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines from the evidence offered at the public hearing and all documents made part of the record that it is in the public interest to make the said improvement, and be it

Continued on Next Page

ABE536

RESOLUTION NO. (1252-1986) Continued

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown, does hereby authorize and approve the improvement of a portion of North Fairview Avenue, for a frontage distance of approximately 1,043 feet, as indicated on the attached Schedule "A," and be it

FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is One Hundred Thousand (\$100,000.00) Dollars, and be it

FURTHER RESOLVED, that the Director of Environmental Control shall survey, or cause to be surveyed, the above described portion of North Fairview Avenue, Nanuet, and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clerk of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed, after completion of the survey work described herein, to prepare definite plans and specifications, and with the assistance of the Town Attorney, to prepare a proposed contract for bidding pursuant to General Municipal Law, or in the alternative prepare the project plans for completion by the Department of Highway personnel, and thereafter to oversee the work required for such improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed to apportion the cost of the project for assessment against the benefitted parcels using a per front foot formula so that all parcels having frontage on both North Fairview Avenue and any other Town road shall contribute forty (40%) percent of the total cost of said project divided by the number of total feet which fronts on North Fairview Avenue and the balance of the project cost (sixty (60%) percent) shall be apportioned by a front footage formula among those properties which have frontage only on North Fairview Avenue.

Seconded by Co. Lettre

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Lettre..... | Yes |
| Councilman Maloney..... | Yes |
| Councilman Nowicki..... | Yes |
| Supervisor Holbrook..... | Yes |

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to Code (Family Day Care) was opened, time: 9:42 P.M.

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: Amendment to Code (Family Day Care) was closed, RESOLUTION ADOPTED, time: 9:45 P.M.

RESOLUTION NO. (1253-1986)

AMENDING THE ZONING
ORDINANCE OF THE TOWN OF
CLARKSTOWN: SECTION 106
VARIOUS - FAMILY DAY CARE

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 28th day of October, 1986 provided for a public hearing on the 18th day of December, 1986 at 8:05 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

RESOLUTION NO. (1253-1986) Continued

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it is amended as follows:

Amend Section 106-3(B) - (Definitions) from:

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

to read as follows:

"FAMILY DAY CARE - Day care in a family home shall mean day care of more than two (2) and not more than six (6) children in a single-family detached residence."

Amend Table 1, General Use Regulations, R-80 District;
Section 106-10A, Column 2, Item 8 from:

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

to read as follows:

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

Amend Table 2, General Use Regulations, R-40 District;
Section 106-10A, Column 2, Item 8 from:

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

to read as follows:

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

Amend Table 3, General Use Regulations, R-22 District;
Section 106-10A, Column 2, Item 8 from:

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

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ABE536

RESOLUTION NO. (1253-1986) Continued

to read as follows:

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

Amend Table 4, General Use Regulations, R-15 District;
Section 106-10A, Column 2, Item 8 from:

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

to read as follows:

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

Amend Table 5, General Use Regulations, R-10 District;
Section 106-10A, Column 2, Item 8 from:

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

to read as follows:

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

Amend Table 18, General Use Regulations, R-160 District;
Section 106-10A, Column 2, Item 8 from:

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

to read as follows:

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

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (1253-1986) Continued

On roll call the vote was as follows:

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

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Zone Change (State Property - Rte. 45 by-pass) was opened, time 9:45 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Zone Change (State Property - Rte. 45 by-pass) was closed, RESOLUTION ADOPTED, time: 9:50 P.M.

ABE536

RESOLUTION NO. (1254-1986)

AMENDING THE ZONING
ORDINANCE OF THE TOWN OF
CLARKSTOWN BY REDISTRICTING
FROM AN RG-2 DISTRICT TO AN
R-15 DISTRICT, NANUET

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 2nd day of December, 1986, provided for a public hearing on the 18th day of December, 1986, at 8:10 P.M., to consider, on the Motion of the Town Board amending the Zoning Ordinance of the Town of Clarkstown by redistricting State owned property "S.H. 1812" and "S.H. 1019" as shown on Tax Map 165, from an RG-2 District to an R-15 District, and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an RG-2 District to an R-15 District, the above described property in the Hamlet of Nanuet, (near the Village of Spring Valley) New York, in said Town.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: ZONE CHANGE (MRC) was opened, time: 9:50 P.M.

On motion of Councilman Nowicki, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: ZONE CHANGE (MRC) was closed, RESOLUTION ADOPTED, time: 10:00 P.M.

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RESOLUTION NO. (1255-1986)

AMENDING THE ZONING
ORDINANCE OF THE TOWN OF
CLARKSTOWN BY REDISTRICTING
THE PROPERTY ON MAP 129,
BLOCK A, LOT 5.03, FROM AN
LO DISTRICT TO AN LIO
DISTRICT - CONGERS, NY

Co. Nowicki offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 28th day of October, 1986, provided for a public hearing on the 18th day of December, 1986, at 8:15 P.M., to consider, on the Motion of the Town Board, amendment to the Zoning Ordinance of the Town of Clarkstown by redistricting the property designated on the Clarkstown Tax Map as: Map 129, Block A, Lot 5.03, from an LO District to an LIO District, and

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

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Town Board hereby determines that the rezoning of the subject property shall have no significant impact and that the provisions of the State Environmental Quality Review Act (SEQRA) have been complied with.

Seconded by Co. Carey

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: ABANDONMENT (GREEN & TRAMQUILL AVENUES) was opened, time: 10:01.

On motion of Councilman Nowicki, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: ABANDONMENT (GREEN & TRAMQUILL AVENUES) was closed, DECISION RESERVED, time: 10:18 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: LOCAL LAW (SITE REGULATIONS) was opened, time: 10:19 P.M.

On motion of Councilman Carey, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing re: LOCAL LAW (SITE REGULATIONS) was closed, ADOPTED, time: 10:25 P.M.

RESOLUTION NO. (1256-1986)

ADOPTING LOCAL LAW NO. 5
"LOCAL LAW FOR REGULATIONS
FOR APPROVAL OF SITE PLANS"

RESOLUTION NO. (1256-1986) Continued

Co. Nowicki offered the following resolution:

WHEREAS, a proposed local law entitled:

"LOCAL LAW FOR REGULATIONS FOR APPROVAL OF SITE PLANS"
was introduced by Councilman Maloney at a Town Board meeting, and

WHEREAS, the Town Board of the Town of Clarkstown by
resolution adopted on the 25th day of November, 1986, directed that
a public hearing be held on the 18th day of December, 1986, at 8:25
P.M., and

WHEREAS, a notice of said hearing was duly prepared and
published in the Journal News on December 8, 1986, and

WHEREAS, a copy of the proposed local law in final form
was placed on the desks of the Supervisor and the Councilmen at
their office at the Clarkstown Town Hall, 10 Maple Avenue, New City,
New York, on December 15, 1986, and

WHEREAS, a public hearing was held by the Town Board of
the Town of Clarkstown on December 18, 1986;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5-1986, entitled:

"LOCAL LAW FOR REGULATIONS FOR APPROVAL OF SITE PLANS"
is hereby ADOPTED and passed by an affirmative vote of the Town
Board of the Town of Clarkstown, the vote for adoption being as
follows:

| | |
|--|-----|
| Honorable Charles E. Holbrook, Supervisor..... | Yes |
| Councilman William J. Carey..... | Yes |
| Councilman Edward J. Lettre..... | Yes |
| Councilman John R. Maloney..... | Yes |
| Councilman Catherine Nowicki..... | Yes |

The Clerk of the Town of Clarkstown was directed to
file the local law pursuant to Section 27 of the Municipal Home Rule
Law.

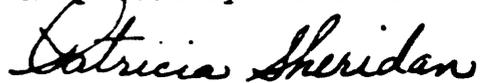
Seconded by Co. Carey

On motion of Councilman Carey, seconded by Councilman
Maloney and unanimously adopted, the Public Hearing re: LOCAL LAW
(SUBDIVISION REGULATIONS) was opened, time: 10:25 P.M.

On motion of Councilman Maloney, seconded by Councilman
Nowicki and unanimously adopted, the Public Hearing re: LOCAL LAW
(SUBDIVISION REGULATIONS) was closed, RECESSED TO A FUTURE DATE,
time: 10:28 P.M.

There being no one further wishing to be heard and no
further business to come before the Town Board, on motion of
Councilman Maloney, seconded by Councilman Nowicki and unanimously
adopted, the Public Hearing was declared closed, time: 10:30 P.M.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/18/86

9:42 P.M.

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

RE: AMENDMENT TO CODE (FAMILY DAY CARE)

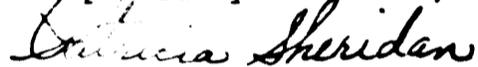
On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared open. The Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor gave a brief explanation of the change. He asked if there was anyone wishing to speak for or against this proposed amendment.

No. one appeared.

There being no one wishing to be heard, on motion of Councilman Nowicki, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed and ADOPTED, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (1253-1986) ADOPTED

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/18/86

9:45 P.M.

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

RE: ZONE CHANGE (STATE PROPERTY - RTE. 45 BY-PASS)

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

Supervisor asked the Assistant Town Planner, member of the firm of Raymond, Parish, Pine & Weiner, to explain why the Town on its motion is proposing this particular change of zone - RG-2 to R-15.

The Planner said this portion of the State property will become the tunnel by-pass road of the Spring Valley section. Right now that area is zoned RG-2 district and we propose to change that to R-15, because the amount of area available for development in RG-2 would not allow single family houses on single family lots.

Supervisor said that basically what you're saying is that the Town does not want to increase the density but rather decrease the density with this particular zoning.

Councilman Lettre said that the zone line encroaches into the R-15 tunnel. We're trying to make it uniform.

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

Appearance: Glen Benjamin
Spring Valley

He said he thought decreasing the density was a good idea but he wondered why that area couldn't be decreased to zero since the Board approved the annexation of the property on which the Spring Valley Mall will be constructed and that area will have space for 1,000 parked cars. He said a traffic impact study was done and they said it has a service level of F meaning that it is at peak impact now. With the coming of the mall, it will increase again plus the impact of the Kingsgate development and the development that you want to build on the airport.

Supervisor said that R-15 was more compatible because it abutted the homes in the area. Supervisor said that the mall in Spring Valley was going to be built whether or not the piece of land was annexed to the village of Spring Valley.

Appearance: Gail Briggs
23 Baylor Road
Spring Valley

She asked who to contact in the State concerning this piece of property because they would like the right of first refusal.

The Town Attorney said to contact Al Dickson, New York State Department of Transportation, Poughkeepsie.

Appearance: Bruce Cohen
Treetops

He commended the Planning Board and the Town Board for their action on this parcel and he said he believed it would alleviate some of the traffic congestion.

Supervisor asked if there was anyone else wishing to speak.

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ABE536

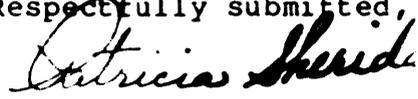
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No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared closed and ADOPTED, time: 9:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (1254-1986) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/18/86

9:50 P.M.

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

RE: ZONE CHANGE (MRC)

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

The Town Attorney stated that he had the Department of Environmental Assessment Review which was completed by the Town Planning Department by Mr. Geneslaw.

Supervisor said that this was done by a motion of the Town Board.

The Assistant Planner said that the Planning Board recommended that the property remain LO for the reason that the LIO zone permits a broader range of uses. They are interested in higher quality development of the area.

Appearance: Carl Kirshner
Kings Highway
Tappan, NY

He said he was the present owner of the property and he was in favor of the change because he felt that the entire parcel should have the same zoning. The property now has two zones: the southern end of the parcel being zoned LIO and the northern end being zoned LO. He said that this does not make sense because there is more commercial development further north and keeping this LO is equivalent to spot zoning. Make the entire property the same because it is not realistic to keep the zoning LO since it will not be developed that way. MRC is zoned in LIO and as the zone now stands, MRC could not expand into this zone. He urged the Board to change the zone.

Supervisor asked if there was anyone else wishing to speak.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 10:00 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (1255-1986) ADOPTED

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/18/86

10:01

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

RE: ABANDONMENT (GREEN & TRAMQUILL AVENUES)

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

The Town Attorney said that he did not have a resolution prepared but he had all the papers for the proposed abandonment of unopened portions of Green Avenue and Tramquill Avenue in Valley Cottage. The Town Attorney said that the Board is aware of my memo dated 12/12 reporting the position of Mr. O'Sullivan, the Superintendent of Highways. The Superintendent of Highways informed me that he was not in a position to sign off on the required certification of non use because he was going to seek an opinion of the Board of Ethics to determine whether he could do so. He is at the present time involved in litigation concerning the adjacent property and it is a question of title and I did report that by memo to the Town Board.

Supervisor asked if this is with Green Avenue.

The Town Attorney said, "yes.".

Councilman Lettre asked what bearing that has upon us?

The Town Attorney said that section 205 of the Highway Law, in order to declare an abandonment, requires the certification of the Superintendent of Highways that it has not been opened or used by the public for six or more years. Now this is a dual purpose hearing. In addition to considering the possible declaration of abandonment, the Town Board will also under the Town Law, section 273, be considering a change in the official map to remove the street from the official map. The Town Board can certainly take an action to demap a street but as far as the declaration that a right-of-way, if one ever existed in favor of the public, has been abandoned that can require the participation of the Superintendent of Highways.

The Town Attorney said you could hold a Public Hearing and reserve decision. You could recess this hearing to another date. You have a broad range of options.

The Supervisor asked if there was anyone who would like to speak for or against or ask a question?

Appearance: Theodore Atzl
Main Street
New City

He said that subject to the Planning Board they will develop this property as LIO use. It will take in the abandonment of Green Avenue and at the same time a portion of Tramquill Avenue to be abandoned also. We have been in contact with the contract purchasers of the Hesse PO piece and the abandonment of their portion of Tramquill Avenue which they own. We have also been in contact with the owners of Clarkstown Executive Park. These LIO portions, north end section of Green Avenue, would now have access to Clarkstown Executive Park. These pieces would now be developed under LIO. The abandonment of these parcels would greatly enhance the property. The Planning Board and residents are in favor of developing as LIO.

Continued on Next Page

ABE536

Appearance: Tom Walsh, Attorney
Congers

He said he was the attorney for the contractor for the Hesse piece. He said that the contractor was concerned that he have access to the LIO piece. If the proposal goes through as set forth by the applicant that, in effect, will landlock the LIO piece. My discussions with Mr. Atzl have been based on his granting to Mr. Travaglini, or any successor, access over his property to Corporate Way.

Supervisor said that is what the Planning Board wants to have happen.

Mr. Walsh said our only application before the Board at this time would be that any abandonment of Tramquill Way would be conditioned upon Mr. Atzl's granting an easement across his property to Corporate Way.

The Town Attorney asked if there were any other parcels that would be landlocked if these two streets are removed from the official map?

Mr. Atzl told the Supervisor he would have no problem granting Mr. Walsh the easement.

The Town Attorney said that we are not affecting any of the private rights that exist in terms of access to those parcels. If we demap it and we are really saying there is no public right-of-way existing because one has never been opened and used within the requisite time period, there still may be private easements that affect the property. It's my opinion that the Town Board's action would not affect any private access easement that would exist. That's something for the property owners to resolve amongst themselves. What Mr. Walsh is asking for is that the Town Board condition any action it takes upon the execution of an easement by the adjacent property owners to insure that his client would have access.

Councilman Nowicki asked if we can do it to prevent his property from being landlocked?

The Town Attorney said he would caution the Board not to take any action which would landlock a parcel. The Town Attorney said that he would like to caution the Board that since we do not have the certification of the Superintendent of Highways that you may not, in his opinion, take action to declare the abandonment of the right-of-way. If you want to, you can separate out from the resolution and say that the official map shall be changed to remove this from the official map.

The Supervisor said let's not do anything tonight and push it to the 31st and let the parties involved execute an agreement and then the Town Board will take some action.

Appearance: Richard Brega

He said he has property adjacent to the Medical Associates. He has no problem with it as long as he has access for his property. He said he has an easement going into Green Avenue and if he were going to develop, he would have to relinquish that right-of-way and he would like to be sure he will be able to go into Corporate Park.

The Town Attorney said that on the papers that were submitted there is a driveway shown from the end of Green Avenue which turns to a portion of the property that you want to have demapped and declared abandoned and it goes into the Brega piece. You're not saying that any action that the Board would take would in any way affect his right to continue to use that existing dirt driveway.

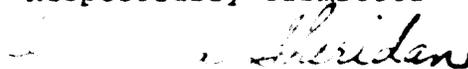
Mr. Atzl said Mr. Brega would have access.

Supervisor asked if there was anyone else wishing to be heard.

No one appeared.

There being no one further wishing to be heard, on motion of Councilman Nowicki, seconded by Councilman Carey and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, time: 10:18 P.M.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

193

Town Hall

12/18/86

10:19 P.M.

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

RE: LOCAL LAW (SITE REGULATIONS)

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

The Planning Consultant said that the new Site Plan Regulations have been under review for about two years by the Planning Board and various Town departments. What it basically does is nothing dramatic but it makes the process more logical and says what is required of the applicant.

Supervisor asked what are the major changes in the site plan regulations. How does it address for example that the Building Inspector's interpretations.

The Planning Consultant said it is all in there. The Building Inspector shall not be allowed to make changes in the approved site plan that are contrary to what is shown on the site plan.

Supervisor asked if there was anyone wishing to be heard.

Appearance: Armond Miele
119 Main St.
Nanuet

He believed that the Town should have a full time Planning Commissioner that would follow through from beginning to end - one person to coordinate everything.

Supervisor asked if there was anyone else wishing to be heard for or against the proposal.

No one appeared.

There being no one further wishing to be heard, on motion of Councilman Carey, seconded by Councilman Nowicki and unanimously adopted, the Public Hearing was closed, RESOLUTION ADOPTED, time: 10:25.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (1256-1986) ADOPTED

ABE536