

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/27/87

8:06 P.M.

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

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

Supervisor declared the Public Portion of the meeting
open and asked if there was anyone present wishing to speak on any
item on the agenda. No one appeared.

RESOLUTION NO. (87-1987) ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETINGS
OF DECEMBER 18 AND 31, 1986
AND ORGANIZATIONAL MEETING
OF JANUARY 6, 1987

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the regular Town Board
Meetings of December 18 and 31, 1986 and the Organizational Meeting
of January 6, 1987 are hereby accepted as submitted by the Town
Clerk.

Seconded by Co. Carey

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Abstain
Supervisor Holbrook.....Yes

RESOLUTION NO. (88-1987) AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
ONE (1) HYDRANT - YALE
DRIVE SOUTH OF DEAD END OF
YALE DRIVE, NEW CITY

Co. Carey offered the following resolution:

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

One (1) hydrant as follows:

w/s Yale Drive, 210 feet south from the
Dead End of Yale Drive

Investigation No.: 9957, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

ABE536

RESOLUTION NO. (89-1987)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
FIVE (5) HYDRANTS (KINGS-
GATE PARKWAY EXPANSION,
TULIP COURT AND TIMBERLINE
DRIVE

Co. Carey offered the following resolution:

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

Five (5) hydrants as follows:

N/S Kingsgate Parkway Extension, 40 feet west of
centerline of Kingsgate Circle

W/S Tulip Court, 25 feet south of centerline of
Timberline Drive

W/S Timberline drive, 85 feet north of centerline
of Timberline Drive

S/S Timberline Drive, 65 feet east of centerline
of Private Right-of-Way

N/S Kingsgate Parkway Extension, 270 feet west of
centerline of Timberline Drive

Investigation No.: 9856, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (90-1987)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
SIX (6) HYDRANTS (WEDGEWOOD
PARKWAY, KINGS BRIDGE COURT
AND YORKSHIRE COURT

Co. Carey offered the following resolution:

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

Six (6) hydrants as follows:

W/S Wedgewood Parkway, 60 feet north of
centerline of Wyndam Court,

W/S Wedgewood Parkway, 40 feet north of
centerline of Lancaster Court

N/S Kings Bridge Court, 200 feet north of
centerline of Wedgewood Parkway

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RESOLUTION NO. (90-1987) Continued

N/S Yorkshire Court, 180 feet north of
centerline of Wedgewood Parkway

E/S Wedgewood Parkway, 60 feet south of
centerline of Revere Road

E/S Wedgewood Parkway, 240 feet south of
centerline of Right-of-Way of Kingsgate
Parkway Extension

Investigation No.: 9868, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (91-1987)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
TURN ON RED" SIGN EAST SIDE
OF MAPLE AVENUE AT DEMAREST
AVENUE, NEW CITY

Co. Maloney offered the following resolution:

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

A "No Turn on Red" sign to be installed
on the eastside of Maple Avenue at
Demarest Avenue, New City

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. Smith

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (92-1987)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL STOP
SIGNS COLLYER AVENUE -
(VARIOUS INTERSECTIONS);
REMOVE "T INTERSECTION
WARNING SIGN PANLEY AVENUE

ABE536

RESOLUTION NO. (92-1987) Con't.

AND COLLYER AVENUE; CHIEF OF POLICE TO NOTIFY PROPERTY OWNERS RE: SIGHT DISTANCE IMPROVEMENTS PARK TERRACE; AND ROCKLAND HIGHWAY DEPARTMENT TO INSTALL GUIDE RAIL CULVERT CROSSING ON COLLYER AVENUE WEST OF MAIN STREET

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated November 12, 1986 has recommended various traffic signs be installed on town roads intersecting with Collyer Avenue, New City,

NOW, THEREFORE, be it

RESOLVED, that John O'Sullivan, Superintendent of Highways is hereby directed to perform the following:

Install Stop Signs at intersection of Collyer Avenue

- Park Terrace
- Fanley Avenue
- Simkin Drive with Stop Lines
- Esquire Road
- Gloria Court
- Hall Avenue (Stop Line only, at existing Stop Sign)

Remove the following signs

"T" intersection warning sign at Fanley Avenue and Collyer Avenue, and be it

FURTHER RESOLVED, that pursuant to Chapter 91, Section 9 of the Code of the Town of Clarkstown, the Chief of Police is to notify the appropriate property owners to comply with said section of the Town Code as follows:

Sight Distance Improvements

Park Terrace - southwest corner - trim shrubbery and be it

FURTHER RESOLVED, the Rockland County Highway Department install guide rail at the existing culvert crossing on Collyer Avenue west of Main Street, and be it

FURTHER RESOLVED, Town Clerk to forward copies of above resolution to Town and County Highway Departments and Clarkstown Chief of Police.

Seconded by Co. Smith

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (93-1987)

RESPECTFULLY URGING POSTAL
SERVICE TO CONSIDER
APPROVAL OF POST OFFICE
SITE ON SQUADRON BOULEVARD

Co. Carey offered the following resolution:

RESOLVED, that the Town Board respectfully urges the postal service to consider approving the proposal for the Post Office site on Squadron Boulevard, and be it

FURTHER RESOLVED, that the Town Board is of the opinion that this site is the most appropriate because of better traffic flow and will enable the residents with Spring Valley addresses, who reside in Clarkstown, to become part of the New City service area, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to send a copy of this resolution to Congressman Benjamin Gilman; Mr. John Ghisoni, U. S. Postal Service; Mr. Frank Barbieri, U.S. Postal Service and Ms. Belva Skiver, U.S. Postal Service.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

Before the above roll call vote was taken Councilman Maloney asked where this particular piece of property was located. Supervisor Holbrook stated it was the former racquetball club property. Councilman Maloney asked if this had been cleared with the Department of Environmental Control as it had been stated that this was a flood plain. Supervisor said there were two sites, one on the other side of the road down by the Demarest Kill which is in the flood plain. This is the building which is presently vacant. Councilman Lettre asked if we have been in contact with the postal authorities to make sure they have received the proposal. Supervisor Holbrook said they have received the proposal and Congressman Gilman has also been notified. Supervisor said we are really stating that from a planning point of view, if they do approve this site, this would be the best one. That is up to them to approve it.

Councilman Lettre said he agrees with the conception of this but he did not know if we could add to the proposal or if it could be an aside that this should not be interpreted by the postal authorities as a stall tactic or a deterrent because the indications they gave us when they were here was that if the Town was not going to work with them or look to be obstructionist they were going to pull their money and go elsewhere. He wanted something added to the effect that if the site is not found to be acceptable that we will work in conjunction with them to establish a site in the Town of Clarkstown to furnish the needs of the people.

Supervisor said the point here is that if they don't approve this site what the Town Board members have said is that we are back to the other site so they have a proposal to look at. Either they approve this proposal or it's back to the other site.

Councilman Lettre said it would not hurt to put something of that language in the resolution. We are saying that we have a preference. Councilwoman Smith said we could insert "to consider the site." Supervisor said how about "consider approving." Councilman Lettre said he did not want it interpreted that if we didn't get this we don't want anything.

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RESOLUTION NO. (93-1987) Continued

Councilman Maloney asked if this was a site they had turned down in the past and was told that there had never been a proposal on this site. The point is that you can't consider a site unless you have a proposal.

Councilwoman Smith asked if the compensatory storage problem had been resolved. Supervisor said if they were to approve the site he thought that problem could be worked out.

RESOLUTION NO. (94-1987)

AUTHORIZING PAYMENT TO
SECRETARY TO BOARD OF
APPEALS (MARGARETANN RIES)
FOR PREPARATION OF
TRANSCRIPT (CEPOLA)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$281.00 be paid to Margaretann Ries, Secretary to the Board of Appeals for the preparation of the transcript required in the following proceeding:

MICHAEL A. CEPOLA and DONNA K. CEPOLA
v. BOARD OF APPEALS

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (95-1987)

SCHEDULING SPECIAL
INFORMATIONAL MEETING OF
TOWN BOARD RE: PROPOSED
ROUTE 59 IMPROVEMENTS

Co. Maloney offered the following resolution:

RESOLVED, that a special Informational Meeting of the Town Board is scheduled for Monday, February 9, 1987 at 8:00 P.M. for receiving public input on proposed Route 59 improvements.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (96-1987)

AMENDING RESOLUTION NO.
1267 RE: ZONE CHANGE
PETITION OF SAMUEL
WEINBERGER

Co. Maloney offered the following resolution:

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RESOLUTION NO. (96-1987) Continued

RESOLVED, that Resolution No. 1267 dated December 31, 1987 is hereby amended to add the following:

The property of petitioner, Samuel Weinberger, Map 57, Block M, Lot 12, be redistricted from a CS District to an MF-3 District or in the alternative to an MF-2 District or an MF-1 District," and be it

FURTHER RESOLVED, that said resolution shall be retro-active to January 21, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (97-1987)

AWARDING BID FOR BID
#9-1987 - TRAFFIC SIGNAL AT
KINGS HIGHWAY AND NEW LAKE
ROAD, VALLEY COTTAGE (WARDE
ELECTRIC CONTRACTING INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Town's Traffic and Highway Engineering Consultant and the Director of Purchasing that

BID #9-1987
TRAFFIC SIGNAL AT KINGS HIGHWAY AND NEW LAKE ROAD,
VALLEY COTTAGE, NY

is hereby awarded to:

WARDE ELECTRIC CONTRACTING INC.
100 Wells Avenue
Congers NY 10920

as per their lowest bid proposal meeting specification of \$43,757.00.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (98-1987)

AWARDING BID FOR BID
#11-1987 - BITUMINOUS
CONCRETE (COUNTY ASPHALT,
INC., TILCON NEW YORK INC.,
AND PLAZA MATERIALS)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (98-1987) Continued

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

BID #11-1987
BITUMINOUS CONCRETE

is hereby awarded to:

COUNTY ASPHALT, INC.
West Main Street
Tarrytown, NY 10591

TILCON NEW YORK INC.
PO Box 362
Haverstraw, NY 10927

PLAZA MATERIALS
969 Midland Avenue
Yonkers, NY 10704

as per attached list of price schedule

(Schedule on file in Town Clerk's Office)

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (99-1987)

TOWN BOARD DETERMINES
APPLICATION PROVISIONS OF
SEQRA COMPLIED WITH AND NO
SIGNIFICANT IMPACT ON
ENVIRONMENT FROM ZONE
CHANGE RG-2 DISTRICT TO
R-15 DISTRICT (ROUTE 45
BY-PASS)

Co. Maloney offered the following resolution:

WHEREAS, by resolution duly adopted on November 13, 1986, the Director of the Department of Environmental Control was authorized to act as agent for the Town Board with respect to State Environmental Quality Review Act (SEQRA) review of a proposal to change the zone of State owned property designated on Tax Map 165 as "S.H. 1812" and "S.H. 1019" from RG-2 District to R-15 District which property was formerly intended for a now defunct Route 45 By-Pass Road, and

WHEREAS, by letter dated January 26, 1987, the Director of Environmental Control has advised that his department staff acting as lead agency has determined that the rezoning referred to herein shall result in no significant environmental impact and that all involved agencies were notified of said opinion and no written objection has been received;

NOW, THEREFORE, be it

RESOLVED, the Town Board as lead agency with respect to the zone change referred to herein hereby determines that the

applicable provisions of SEQRA have been complied with and that there shall be no significant impact on the environment from the proposed change and that no further processing under SEQRA is required.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (100-1987)

ASSESSING COST FOR CLEANUP
- CHAPTER 79 (ARMSTRONG)

Co. Maloney offered the following resolution:

WHEREAS, a proceeding pursuant to Chapter 79 of the Town Code was duly instituted against premises known and described on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 4.1, and

WHEREAS, by Order of the Town Board, the Superintendent of Highways (or Building Inspector) was authorized and directed to take certain corrective measures regarding said premises, and

WHEREAS, the total cost for the proceeding and corrective measures was the sum of \$329.21, and

WHEREAS, the record property owner has been notified and has failed to pay the amount due;

NOW, THEREFORE, be it

RESOLVED, that the Assessor is hereby authorized and directed to levy the sum of \$329.21 against MAP 120, BLOCK H, LOT 4.1 in accordance with law.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (101-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #20-1987 -
FIRST AID SUPPLIES

Co. Maloney offered the following resolution:

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

BID #20-1987
FIRST AID SUPPLIES

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RESOLUTION NO. (101-1987) Continued

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, March 6, 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. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (102-1987)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #21-1987 - REPAIRS TO CATERPILLAR D-8

Co. Maloney offered the following resolution:

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

BID #21-1987
REPAIRS TO CATERPILLAR D-8

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, February 20, 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. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (103-1987)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH AMBULANCE CORPS FOR BASIC AMBULANCE SERVICE AND ADVANCED LIFE SUPPORT SERVICE FOR 1987 (CONGERS-VALLEY COTTAGE; NEW CITY; NANUET; AND NYACK

Co. Lettre offered the following resolution:

WHEREAS, the Town of Clarkstown is presently receiving emergency ambulance and advanced life support service by contract

RESOLUTION NO. (103-1987) Continued

from the four Ambulance Corps which serve the incorporated and unincorporated portions of the Town of Clarkstown, and

WHEREAS, the Town Board wishes to continue to contract for such ambulance service;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney with the following Ambulance Corps in order to provide for emergency ambulance service and advanced life support service to the Town of Clarkstown for the calendar year 1987, upon payment of the sums set forth below in quarterly installments at the beginning of each quarter during the calendar year 1987:

	<u>TOTAL FOR 1987</u>
Congers-Valley Cottage Volunteer Ambulance Corps, Inc.	\$ 85,050.00
New City Volunteer Ambulance Corps/ Rescue Squad, Inc.	\$ 58,435.00
Nanuet Community Ambulance Corps, Inc.	\$ 82,850.00
Nyack Community Ambulance Corps	\$ 40,172.00
Total Advanced Life Support Service per budget	\$625,000.00

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Yes
 Councilwoman Smith.....Yes
 Supervisor Holbrook.....Yes

RESOLUTION NO. (104-1987)

SETTING PUBLIC HEARING FOR SPECIAL PERMIT TO CONDUCT LANDFILL OPERATION (BERTOLINO) AND REFERRAL OF SAME TO TOWN AND COUNTY PLANNING BOARDS

Co. Maloney offered the following resolution:

WHEREAS, MICHAEL BERTOLINO, has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation for property located on Snake Hill Road, West Nyack, New York, pursuant to Chapter 106-10A, Table 14, Column 3, Item B-3 of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 24th day of March, 1987 at 8:05 P.M., to consider the application of MICHAEL BERTOLINO, relative to said Special Permit, and be it

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RESOLUTION NO. (104-1987) Continued

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

FURTHER RESOLVED, that this application be referred to the Clarkstown Planning Board pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law for study and report, and the following agencies for comment or study and report by February 19, 1987:

1. Department of Environmental Control of the Town of Clarkstown.
2. Department of Environmental Conservation
3. Building Inspector of the Town of Clarkstown
4. Rockland County Soil Conservation
5. Rockland County Drainage Agency
6. Rockland County Health Department
7. Clarkstown Shade Tree Commission

and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (105-1987)

AUTHORIZING EXTENSION OF
TIME TO SERVE ORDER &
NOTICE RE: MAP 106,
BLOCK A, LOT 26.04
(EASTERN STATE TIRES)

Co. Maloney offered the following resolution:

RESOLVED, that the time to serve an Order and Notice Pursuant to Town Code, Chapter 79 (Property Maintenance) in connection with the following property, is extended to February 10, 1987, and the public hearing is rescheduled to February 24, 1987.

MAP 106, BLOCK A, LOT 26.04

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (106-1987)

MEMORIALIZING ROCKLAND
COUNTY EXECUTIVE AND
ROCKLAND COUNTY
LEGISLATORS RE:
DANGEROUS SITUATION -
OLD ROUTE 304 AND
CYPRESS DRIVE (FLOW OF
DEMAREST KILL IN AREA)

Co. Maloney offered the following resolution:

RESOLVED, that a dangerous situation exists in the vicinity of Old Route 304 and Cypress Drive as a result of a culvert which is inadequate to handle the flow of the Demarest Kill during heavy storms, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown requests the Rockland County Legislature to immediately push for the replacement of the culvert under Old Route 304, in the vicinity of Cypress Drive, New City, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown is hereby directed to forward copies of this resolution to Hon. John Grant, Rockland County Executive and to the Legislators from Clarkstown: Hon. Philip Bosco; Hon. Harriet Cornell; Hon. Jean Grogan, Hon. Alexander Gromack; Hon. Thomas Morahan; and Hon. Kenneth Zebrowski, Chairman.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (107-1987)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES FOR STREET
LIGHTING AT BIRCH DRIVE,
NANUET

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is entitled to receive an annual upgrade-replacement of 2% of the total amount of its existing street lighting from Orange and Rockland Utilities, Inc. at no charge to the Town, and

WHEREAS, Supervisor Charles E. Holbrook has requested the upgrade of existing street lighting on Birch Drive, Nanuet, on behalf of the residents of this town road,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for the upgrade of street lighting at the following locations:

Birch Drive Nanuet
(From intersection Buckingham Road to intersection
Ludvigh Road)

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RESOLUTION NO. (107-1987) Continued

Total - 9 existing street lights to be upgraded from
4000 lumen mercury vapor fixtures to 5800
lumen sodium vapor fixtures.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (108-1987)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR
STREET LIGHTING AT
GLENSIDE DRIVE, ROLLING
WAY AND LITTLE TOR ROAD,
NEW CITY

Co. Maloney offered the following resolution:

WHEREAS, a resident of the Town of Clarkstown has
requested that street lighting be installed to improve the safety
and welfare of the community, and

WHEREAS, a survey of surrounding property owners
directly affected by this proposed lighting was conducted by
Patricia A. Betz, Service Investigation Clerk, and

WHEREAS, the surrounding property owners have
indicated that they are in accord with this proposed lighting,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of
Clarkstown hereby accepts proposals from Orange and Rockland
Utilities, Inc. for street lighting at the following locations:

Glenside Drive New City
(Existing Pole #59769/41484 - (1) 5800 lumen sodium
vapor street light)

Rolling Way New City
(Underground utilities - Pole to be installed -
(1) 5800 lumen sodium vapor street light)

Little Tor Road New City
(Existing pole #59052/42751 - (1) 5800 lumen sodium
vapor street light on 15 foot bracket)

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (109-1987)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC., FOR
STREET LIGHTING AT LAKE
ROAD, CONGERS; AND ROUTE
303 VALLEY COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of Patricia
A. Betz, Service Investigation Clerk, the following street
lighting be installed to improve traffic and pedestrian safety,
and be it

FURTHER RESOLVED, that the Town Board of the Town of
Clarkstown hereby accepts proposals from Orange and Rockland
Utilities, Inc. for street lighting at the following locations:

Lake Road Congers
(Existing pole #60510/42030 - (1) 27000 lumen sodium
vapor street light - at intersection Stonewall Lane)

Route 303 Valley Cottage
(Existing pole #60781/40996 - (1) 27000 lumen sodium
vapor street light - at intersection Alyssa Court)

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (110-1987)

RESCINDING RESOLUTION
NO. 23-1987 RE:
APPOINTING BICENTENNIAL
COMMISSION MEMBERS)

Co. Lettre offered the following resolution:

RESOLVED, that Resolution #23-1987 adopted at the
Town Board Meeting of January 6, 1987 (appointing Bicentennial
Commission Members) is hereby rescinded.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (111-1987)

APPOINTING TO POSITIONS
OF MEMBERS - CLARKSTOWN
BICENTENNIAL COMMISSION

Co. Smith offered the following resolution:

RESOLVED, that the following are hereby appointed to
the positions of Members - Clarkstown Bicentennial Commission -

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RESOLUTION NO. (111-1987) Continued

to serve without compensation - term effective and retroactive to January 1, 1987 and to expire on December 31, 1987.

- Martin Cohen, 6 Plains Dr., New City, NY 634-9216
- John Davidson, 14 Chauncy St., Congers, NY 268-2430
- Dr. Laura Harckham, 32 Old Lake Rd., Congers, NY
- Neila Alemi, 76 Church St., Nanuet, NY 623-7941
- Bob Knight, 18 Gilchrest Rd., Congers, NY 268-3012
- Howard Weishaus, 25 Linden Ct., New City, NY 634-6733
- Cathy Landers, 1 Roberts Rd., New City, NY 634-9693
- Joseph Kubran, 36 Oak Rd., New City, NY 634-3215
- John Creagh, Monterey Gardens, Apt. 97, Bardonia, NY 623-0152
- Janet Bender, 40 Oak Rd., New City, NY 638-3004
- Marilyn Colucci, 600 Rte. 304, Bardonia, NY 623-6048
- Cathy Sciabica, 22 South Park Ave., Nanuet, NY 623-2615
- Henry M. Bender, Jr., 40 Oak Rd., New City, NY 638-3004
- Bennie Nelson, 52 Dykes Park Rd., Nanuet, NY 623-7208
- Grace Huggins, 38 Dykes Park Rd., Nanuet, NY 623-0471
- Elaine Gyllenhammer, 111 Mass. Ave., Congers, NY 268-2544
- Barbara Driver, 51 Rockland Lake Rd., Rockland Lake, NY 268-2892
- Jack Driver, 51 Rockland Lake Rd., Rockland Lake, NY 268-2892
- Voncile Oliver, 19 Wesley Rd., Congers, NY 268-6626
- Pat Williams, 41 Park Terrace, Congers, NY 268-3672
- Dorothy Masch, Old Mountain Rd., Upper Nyack, NY 358-2122
- Jack Weiss, 53 Jolen Dr., New City, NY 634-4359

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLLUTION NO. (112-1987)

RECOGNIZING APPOINTMENT
BY POLICE COMMISSION OF
DOG CONTROL OFFICER
(TRAINEE) - POLICE
DEPARTMENT (GARY BREEDEN)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Gary Breeden, 110 North Greenbush Road, West Nyack, New York - Dog Control Officer (Trainee) - Police Department - at the current 1987 annual salary of \$15,672.00, effective and retroactive to January 7, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (113-1987)

RECOGNIZING TRANSFER OF
SENIOR TYPIST FROM
POLICE DEPARTMENT TO

RESOLUTION NO. (113-1987)Continued

COUNSELING CENTER
(LAVARNE POUND)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the transfer of Lavarne Pound, 11 Stratford Place, New City, New York from the Police Department to the Counseling Center - to the position of Senior Typist, at the current annual 1986 salary of \$21,548.00, effective and retroactive to November 3, 1986.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (114-1987)

CREATING POSITIONS OF
FOUR (4) POLICE OFFICERS
- POLICE DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 21, 1987 that four (4) positions of Police Officer - Police Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the four (4) positions of Police Officer - Police Department - are hereby created - effective January 28, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (115-1987)

ESTABLISHING PART-TIME
SALARIES FOR VARIOUS
POSITIONS - CLARKSTOWN
PARKS BOARD AND
RECREATION

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks that the following 1987 part-time salaries be established:

<u>PART-TIME</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Recreation Aide-----	\$3.35/hr.	\$3.50/hr.
Recreation Aide (Umpire-depending upon sport/length of game time)	\$7.00/game	\$9.00/game

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RESOLUTION NO. (115-1987) Continued

<u>PART-TIME</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Recreation Assistant-----	\$4.00/hr.	\$ 8.00/hr.
Recreation Leader-----	\$6.00/hr.	\$12.00/hr.
Recreation Specialist-----	\$6.00/sess.	\$25.00/sess.
Refreshment Stand Attendant I----	\$3.35/hr.	\$ 5.00/hr.
Refreshment Stand Attendant II---	\$5.50/hr.	\$ 8.00/hr.
Lifeguard-----	\$5.00/hr.	\$ 6.25/hr.
Head Lifeguard-----	\$6.50/hr.	\$ 7.50/hr.
Water Safety Instructor-----	\$6.75/hr.	\$ 7.25/hr.
Head Water Safety Instructor----	\$7.50/hr.	\$ 8.00/hr.
Laborer/Student-----	\$3.35/hr.	\$ 5.00/hr.
Groundswoker (L)-----	\$4.50/hr.	\$ 8.00/hr.
Custodian Worker (Seasonal) (L)	\$4.00/hr.	\$ 7.00/hr.
Swim Area Supervisor (Seasonal)	\$7,665/season	\$11,025/season
Refreshment Stand Manager (Seasonal)-----	\$3,675/season	\$ 5,775/season
Senior Recreation Leader (Seasonal)-----	\$3,675/season	\$ 5,775/season
Senior Recreation Activity Specialist (Seasonal)-----	\$2,625/season	\$ 4,725/season
Senior Recreation Leader (Part- time)-----	\$7,665/year	\$11,025/year

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Yes
 Councilwoman Smith.....Yes
 Supervisor Holbrook.....Yes

RESOLUTION NO. (116-1987)

APPOINTING TO POSITION
OF TEMPORARY BUS DRIVER
- MINI TRANS DEPARTMENT
(HAROLD W. MCCOY)

Co. Maloney offered the following resolution:

RESOLVED, that Harold W. McCoy, 298 Old Haverstraw Road, Congers, New York is hereby appointed to the position of temporary Bus Driver - Mini Trans Department - (to cover the Leave of Absence of Raymond E. Wolicki) - at the current 1987 annual salary of \$15,672.00 effective February 2, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Yes
 Councilwoman Smith.....Yes
 Supervisor Holbrook.....Yes

RESOLUTION NO. (117-1987)

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

RESOLUTION NO. (117-1987) Continued

Co. Maloney offered the following resolution:

RESOLVED, that Beatrice McCartney, Boxberger Road, Valley Cottage, New York, is hereby appointed to the position of part-time Typist in the Town Attorney's office at the current hourly rate of \$6.00 per hour, effective and retroactive to January 20, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (118-1987)

APPOINTING TO POSITION
OF EMPLOYEE BENEFITS
CLERK - PERSONNEL OFFICE
(NANCY BECK)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Employee Benefits Clerk #86292, which contains the name of Nancy Beck,

NOW, THEREFORE, be it

RESOLVED, that Nancy Beck, 1 Badger Street, New City, New York, is hereby appointed to the position of Employee Benefits Clerk - Personnel Office - at the current 1987 annual salary of \$17,424.00, effective January 28, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (119-1987)

ACCEPTING RESIGNATION OF
ASSISTANT AUTOMOTIVE
MECHANIC - TOWN GARAGE
(CHRISTOPHER A. BURGIO)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Christopher A. Burgio, 22 Oak Road, Congers, New York, Assistant Automotive Mechanic - Town Garage - is hereby accepted - effective and retroactive to January 23, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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RESOLUTION NO. (119-1987) Continued

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (120-1987)

APPOINTING TO POSITION
OF (TEMPORARY)
AUTOMOTIVE MECHANIC -
TOWN GARAGE (BRUCE HOEHN)

Co. Maloney offered the following resolution:

RESOLVED, that Bruce Hoehn, 209 Sixth Avenue, Nyack, New York, is hereby appointed to the position of (Temporary) Automotive Mechanic - Town Garage - at the current 1987 annual salary of \$21,666.00 (Gr. 23 A-1), effective February 9, 1987, for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (121-1987)

AUTHORIZING SECRETARIAL
SERVICES TO TRANSCRIBE
WALKING DESCRIPTIONS OF
ELECTION DISTRICT MAP -
CHARGE TO ACCOUNT NO. A
1450-114

Co. Maloney offered the following resolution:

WHEREAS, the New York State Board of Elections has advised that all election district boundaries, effective January, 1988, must relate to physical and visible boundaries pursuant to the requirements of Section 4-100 subds. (3) and (5) of the Election Law, and

WHEREAS, the Town requires the services of a secretary to transcribe the required walking descriptions from dictation equipment and same cannot be accomplished during regular business hours;

NOW, THEREFORE, be it

RESOLVED, that Lucille Whalen, Planning Department, is hereby authorized to transcribe the walking descriptions of the election districts using Town equipment at the hourly rate of \$11.8418 per hour, not to exceed \$500.00, and be it

FURTHER RESOLVED, that the funds shall be charged to Account No. A-1450-114.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (121-1987) Continued

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (122-1987)

AUTHORIZING SUPERVISOR
TO ENTER INTO CONSENT
DETERMINATION RE:
VIOLATION OF CHAPTER 63
(C & A CARBONE, INC.)

Co. Lettre offered the following resolution:

WHEREAS, by Charges and Specifications served on or about October 14, 1986, C & A Carbone Inc., located at 183 Western Highway, West Nyack, New York, a corporation authorized to use the Clarkstown Sanitary Landfill and engaged in business of garbage removal in the Town of Clarkstown was charged with violation of Section 63-10(C) of the Town Code of the Town of Clarkstown, committed on or about August 8, 1986, for alleged dumping of garbage, rubbish, or debris into the Town of Clarkstown Sanitary Landfill without the special permission of the Town Board when said garbage, rubbish, or debris was collected outside of the Town of Clarkstown, and which alleged violation occurred during a period of deferred suspension of the Respondent as a result of a prior consent adjudication for improper disposal of unauthorized refuse at the Clarkstown Sanitary Landfill, and

WHEREAS, a public hearing was scheduled to be held on November 20, 1986, pursuant to Town Law and the Town Code of the Town of Clarktown to inquire into said allegations, and

WHEREAS, after commencement of said hearing the Respondent, through its attorney, initiated discussions which have taken place over several weeks and which have resulted in an offer to enter into a Consent Determination in lieu of said fact finding hearing being concluded whereby the Respondent would:

1. Admit the allegations contained in the specifications dated October 14, 1986;
2. Consent to the imposition of a civil penalty of \$10,000.00;
3. Consent to the imposition of a three (3) month suspension of the Respondent's privilege to enter into the Clarkstown Sanitary Landfill to dispose of garbage, refuse or debris therein, which suspension shall not be held in abeyance;
4. Further consent to a nine (9) month probationary period to commence at the conclusion of the period of suspension referred to above. If the Respondent commits any further violation of Chapter 63 or violation of law related to the use of the Clarkstown Sanitary Landfill or breaches the terms and conditions of the Consent Order, the Respondent's right to use the Clarkstown Sanitary Landfill shall be revoked for a period of three (3) years from the date of conviction, adjudication or determination of such violation or breach;
5. Simultaneous with the signing of the Consent Order, the Respondent shall provide a verified list of all of its customers existing as of August 8, 1986, the date of the violation, and further provide to the Town of Clarkstown

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RESOLUTION NO. (122-1987) Continued

affidavits of all of the officers, stockholders and directors of the Respondent which affidavit shall disclose the interest, if any, of such officers, stockholders and directors in any other carting company existing into a Consent Determination pursuant to the terms and conditions set forth above or in lieu thereof the public hearing which commenced on November 20, 1986 shall be reconvened upon two days notice to Respondent's attorney on February 24, 1987 at 9:00 P.M., and be it

FURTHER RESOLVED, that the civil penalty to be imposed pursuant to the Consent Determination shall be payable by cash or certified check in one lump sum on or before February 24, 1987, and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded with any proposed Consent Determination to the Respondent's attorney.

Seconded by Co. Maloney

On roll call the vote was as follows:

- Councilman Carey.....Yes
- Councilman Lettre.....Yes
- Councilman Maloney.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (123-1987)

GRANTING CERTIFICATES OF REGISTRATION PURSUANT TO SECTION 83-65 OF CODE OF TOWN OF CLARKSTOWN - JAMISONS ASSOCIATES, INC. (CERTIFICATE NO. 87-4) AND HENRY SMITH, INC. AND BRUDON CONSTRUCTION, INC. (CERTIFICATE NO. 87-13)

Co. Maloney offered the following resolution:

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

- | | |
|--|---|
| JAMISONS ASSOCIATES INC.
7 Kinderkamack Road
Montvale, N. J. 07645 | HENRY SMITH, INC.
and BRUDON
CONSTRUCTION INC.
P. O. Box 24
Monsey, N. Y. 10952 |
|--|---|

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that the Certificate of Registration for Jamisons Associates Inc. shall terminate on July 30, 1987 unless a Certificate of Insurance for coverage through December 31, 1987 is received on or before said date.

- No. 87-4 issued to Jamisons Associates Inc.
- No. 87-13 issued to Henry Smith, Inc.

Seconded by Co. Lettre

RESOLUTION NO. (123-1987) Continued

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (124-1987)

AUTHORIZING SETTLEMENT
OF CLAIM (JOAN MALONEY)

Co. Smith offered the following resolution:

WHEREAS, a claim has been made against the Town of Clarkstown by Joan Maloney, 7 Tavo Lane, New City, New York, as a result of an accident with a Clarkstown Mini-Transit Bus on April 3, 1985, and

WHEREAS, Gallagher Bassett of New York, Inc., the Town's insurance adjusters have recommended a negotiated settlement in lieu of litigation;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown Claims Representative is hereby authorized to settle the subject claim for payment not to exceed \$8,500.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (125-1987)

AUTHORIZING SUPERVISOR
TO ENTER INTO CONSENT
DETERMINATION (R & R
CARTING DISPOSAL, INC.)

Co. Maloney offered the following resolution:

WHEREAS, by Charges and Specifications served on or about December 23, 1986, R & R Carting Disposal, Inc., located at 208 Orange Avenue, Suffern, New York, a corporation authorized to use the Clarkstown Sanitary Landfill and engaged in business of garbage removal in the Town of Clarkstown was charged with violation of Section 63-10(C) of the Town Code of the Town of Clarkstown, committed on or about December 16, 1986, for alleged dumping of garbage, rubbish, or debris into the Town of Clarkstown Sanitary Landfill without the special permission of the Town Board when said garbage, rubbish, or debris was collected outside of the Town of Clarkstown, and

WHEREAS, a public hearing was scheduled for January 27, 1987 at 9:00 P.M. in Room 311, pursuant to Town Law and the Town Code of the Town of Clarkstown to inquire into said allegations, and

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RESOLUTION NO. (125-1987) Continued

WHEREAS, R & R Carting Disposal, Inc., the Respondent, has by its attorney offered to enter into a Consent Determination in lieu of such fact finding hearing being held whereby the Respondent would admit the essential Allegations of Specification No. 1, consent to the imposition of a civil penalty of \$2,000.00, payable on or before February 10, 1987, and further consent to the imposition of a six month period of suspension of the Respondent Corporation's right to use the Clarkstown Sanitary Landfill provided further that said suspension shall be deferred upon the condition that the Respondent commit no further violation of the Town Code or law regarding use of the Clarkstown Sanitary Landfill facility during the period of one (1) year from the date of the Consent Determination, or in lieu thereof, upon conviction or adjudication of any such violation committed during said period such deferred suspension shall be revoked and the Respondent, in addition to any other penalties or convictions it may suffer, shall be barred from the use of the Clarkstown Sanitary Landfill for a period of six months thereafter, and as a further requirement of such Consent Determination, the Respondent shall within thirty (30) days from the date thereof submit to the Town Board a plan for the creation and implementation of a permanent record keeping system to be established by the Respondent for the purpose of keeping a permanent record in chronological order listing:

- i. the date,
- ii. the origin and general description of all materials transported for disposal,
- iii. the identification of the container or vehicle used and the person responsible for removal from the location of origin,
- iv. the person responsible for transport to the final disposal site, and
- v. the final disposal site,

which record book shall be kept for a period of not less than four (4) years and which shall be available for inspection upon reasonable notice and provided further that such plan of record keeping shall be implemented by the Respondent within five (5) days of receipt of written notice of its acceptance by the Town Board, and

WHEREAS, the Town Attorney recommends acceptance of the offer to this Consent Determination;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a Consent Determination pursuant to the terms and conditions set forth above in a form approved by the Town Attorney, or in lieu thereof the public hearing originally scheduled for January 27, 1987 at 9:00 P.M., in the Clarkstown Town Hall shall be reconvened upon two (2) days notice to Respondent's attorney on February 10, 1987 at 9:00 P.M., and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded with any proposed Consent Determination to the Respondent.

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (125-1987) Continued

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: (Deka Construction) Amendment of Official Map and Declaring Abandonment of Portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, Congers, was opened, time: 8:43 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: (Deka Construction) Amendment of Official Map and Abandonment of Portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, Congers, was closed, RESOLUTION ADOPTED, time: 8:49 P.M.

RESOLUTION NO. (126-1987)

AMENDING THE OFFICIAL
MAP AND DECLARING
ABANDONMENT OF PORTIONS
OF LAWRENCE STREET,
STATE STREET, CONGER
AVENUE AND ROCKLAND
AVENUE, CONGERS (MAPPED
BUT UNOPENED STREETS)

Co. Maloney offered the following resolution:

WHEREAS, D.E.K.A. CONSTRUCTION CORP., has petitioned the Town Board to declare an abandonment, pursuant to Section 205 of the Highway Town Law, 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, located in the Town of Clarkstown, as shown and described on attached Exhibit "A," and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 18th day of December, 1986, provided for a public hearing on the 27th day of January, 1987 at 8:05 P.M., or as soon thereafter as possible, to consider abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of the portions of the mapped but unopened streets referred to herein (Exhibit "A"), and

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

WHEREAS, from all of the information presented to the Town Board, it appears that there is no dispute that portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, as described in said Petition have not been opened or used by the public within the six year period prior to the filing of the Petition and that any public right-of-way which may have existed may be deemed to have been abandoned, and

WHEREAS, it appears to the Town Board to be in the best interest of the community to declare that an abandonment of any rights of the public to cross said portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, has occurred and same have been abandoned and should be removed from the Official Map of the Town of Clarkstown in accordance with the provisions of Section 273 of the Town Law;

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RESOLUTION NO. (126-1987) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines, on the basis of the Petition and evidence adduced at the public hearing held as aforesaid, that the public has no rights of travel on or across portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, as described in said Petition and that the rights of the public, if any, may be deemed abandoned, and be it

FURTHER RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended to delete portions of Lawrence Street, State Street, Conger Avenue and Rockland Avenue, which were described in the Notice of Public Hearing, and be it

FURTHER RESOLVED, that the attached certification of the Superintendent of Highways of the Town of Clarkstown confirming the findings herein is hereby ordered to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's Office, and be it

FURTHER RESOLVED, that this resolution shall constitute the Order of the Town Board when signed by the majority of its members.

SO ORDERED:

/s/ Charles E. Holbrook
Charles E. Holbrook, Supervisor

s/s William J. Carey
William J. Carey, Councilman

s/s Edward J. Lettre
Edward J. Lettre, Councilman

s/s John R. Maloney
John R. Maloney, Councilman

s/s Ann M. Smith
Ann M. Smith, Councilwoman

Seconded by Co. Lettre

Before the roll call Councilwoman Smith asked does the abandoned area then go to the neighboring property owners? Town Attorney said the answer is very difficult as it depends on who
Continued on Next Page

RESOLUTION NO. (127-1987) Continued

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Carey.....	Yes
Councilman Lettre.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted the Public Hearing re: Local Law Amending Chapter 3 (Appearance Tickets) was opened, time: 9:58 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Local Law Amending Chapter 3 (Appearance Tickets) was closed, RESOLUTION ADOPTED, time: 10:01 P.M.

RESOLUTION NO. (128-1987)

ADOPTING LOCAL LAW NO. 3-1987 RE: APPEARANCE TICKETS

Co. Carey offered the following resolution:

WHEREAS, a proposed local law entitled:

"A LOCAL LAW AMENDING CHAPTER 3 (APPEARANCE TICKETS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilman Carey at a Town Board meeting held on the 31st day of December, 1986, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 31st day of December, 1986, directed that a public hearing be held on the 27th day of January, 1987 at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 16, 1987, 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 January 7, 1987, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on January 27, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3-1987, entitled;

"A LOCAL LAW AMENDING CHAPTER 3 (APPEARANCE TICKETS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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:

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RESOLUTION NO. (128-1987) Continued

Honorable Charles E. Holbrook, Supervisor....Yes
William J. Carey, Councilman.....Yes
Edward J. Lettre, Councilman.....Yes
John R. Maloney, Councilman.....Yes
Ann Marie Smith, Councilwoman.....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. Maloney

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing Re: Authorizing Increased Expenditure for Extension of Sewers in MBSIA No. 2 (Vicinity of Phillips Hill Road, New City), was opened, time: 10:55 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Authorizing Increased Expenditure for Extension of Sewers in MBSIA No. 2 (Vicinity of Phillips Hill Road, New City), RESOLUTION ADOPTED, time: 11:56 P.M.

RESOLUTION NO. (129-1987)

AUTHORIZING INCREASED EXPENDITURE FOR THE EXTENSION OF SEWERS IN PORTION OF MBSIA NO. 2 (IN THE VICINITY OF PHILLIPS HILL ROAD, NEW CITY)

Co. Maloney offered the following resolution:

WHEREAS, by resolution dated March 11, 1986 a public hearing was scheduled and then duly held on April 22, 1986 to consider a proposal to provide an improvement and extension of the sanitary sewer system for a portion of the Master Benefitted Sewerage Improvement Area No. 2 (MBSIA No. 2) in the vicinity of Phillips Hill Road, New City, New York, and

WHEREAS, as a result of said public hearing the Town Board authorized and approved construction of lateral sewers as described in an engineering report entitled, "Engineering Report and Cost Estimates for Providing Sanitary Sewer Service," prepared by Charles R. Velzy Associates, Inc., dated February, 1986, and further provided that the maximum amount of \$550,000.00 be expended, and

WHEREAS, bids in response to the plans and specifications advertised pursuant to General Municipal Law Section 103 have indicated that the proposed project could not be completed within the maximum amount proposed to be expended, and

WHEREAS, by resolution dated January 6, 1987 the Town Board scheduled a subsequent public hearing to be held on January 27, 1987 at 8:20 P.M. in the Clarkstown Town Hall Auditorium, 10 Maple Avenue, New City, New York, pursuant to Section 209-h of Town Law to consider authorizing a greater expenditure for the benefit of properties identified and set forth in the attached Schedule "A";

NOW, THEREFORE, be it

RESOLVED, that certified copies of the Resolution and Order of the Town Board calling for an additional public hearing

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RESOLUTION NO. (129-1987) Continued

pursuant to Section 209-h of the Town Law were duly published and posted according to law, and said Town Board did, at the time and place specified, duly meet and consider the matter referred to in said Resolution and Order, and heard all persons interested in the subject thereof who appeared and considered the same and upon the evidence offered at the public hearing held as aforesaid the Town Board has determined it is in the public interest to authorize a greater expenditure for the proposed sewer improvements in the portion of MBSIA No.2 as described in the said engineering report of Charles R. Velzy Associates, Inc., and be it

FURTHER RESOLVED, that the maximum amount to be expended for said improvement shall be the sum of \$670,000.00, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed to obtain a contractor or contractors pursuant to General Municipal Law Section 103 for the completion of the project described in said report, and be it

FURTHER RESOLVED, that pursuant to Section 209-q(5) of the Town Law, approval of the Office of the State Comptroller is not required for completion of this project as the proposed expenditure does not exceed one tenth of one percent (1/10 of 1%) of the full valuation of taxable real property in the unincorporated portion of the Town of Clarkstown within said district.

(Schedule A on File in Town Clerk's Office)

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing Re: Extension of Clarkstown Consolidated Water Supply District No. 1 (Kingsgate Condominiums), was opened, time: 10:12 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing Re: Extension of Clarkstown Consolidated Water Supply District no. 1 (Kingsgate Condominiums) was closed, ORDER SIGNED, time: 10:14 P.M.

RESOLUTION NO. (130-1987)

ORDER EXTENDING
CLARKSTOWN CONSOLI-
DATED WATER SUPPLY
DISTRICT NO. 1 (KINGS-
GATE CONDOMINIUMS)

Co. Maloney offered the following resolution:

A petition in this matter for the Extension of the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown, excluding any portion already in an existing district, having been duly adopted by the Town Board on the 18th day of December, 1987, for the hearing of all persons interested

RESOLUTION NO. (130-1987) Continued

in the matter on the 27th day of January, 1987, at 8:20 P.M. ES Time, at the Board Room of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York and a Public Hearing by the said Town Board having been duly held at such time and place, and it having been duly resolved and determined, following such hearing, that the petition herein was signed and acknowledged or proved as required by law and otherwise sufficient, that all property and property owners within the proposed extension were benefitted thereby, that all property and property owners benefitted were included within the limits of the proposed district, and that it was in the public interest to grant in whole the relief sought, that there has been and will be no cost to the Town of Clarkstown pursuant to such extension, that no state owned lands are part of the extended district, or if state owned lands are part of the extended district, they consist of less than ten percent of such extended district, and it having been then and there further duly resolved that the creation of such extension as proposed be approved, it is hereby

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ORDERED, that the Clarkstown Consolidated Water Supply District #1 of the Town of Clarkstown be extended in the said Town of Clarkstown, Rockland County, New York, to include lands in the said Town of Clarkstown, 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.

Dated: January 27, 1987

/s/ Charles E. Holbrook
SUPERVISOR CHARLES E. HOLBROOK

/s/ John R. Maloney
COUNCILMAN JOHN R. MALONEY

/s/ William J. Carey
COUNCILMAN WILLIAM J. CAREY

/s/ Edward J. Lettre
COUNCILMAN EDWARD J. LETTRE

/s/ Ann M. Smith
COUNCILWOMAN ANN M. SMITH

STATE OF NEW YORK)
COUNTY OF ROCKLAND)
TOWN OF CLARKSTOWN)

I, Patricia Sheridan, Town Clerk of the said Town of Clarkstown, County of Rockland, hereby certify that I have compared the foregoing copy of an Order Extending Clarkstown Consolidated Water Supply District #1 with the original now on file in said office, and find same to be a true and correct transcript and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of said Town of Clarkstown this 27th day of January, 1987.

/s/ Patricia Sheridan
TOWN CLERK

(S E A L)

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

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Supervisor mentioned that the Salary Schedule would be adopted, as amended, at the next Town Board Meeting.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 10:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

375

Town Hall

1/27/87

8:43 P.M.

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

RE: (DEKA CONSTRUCTION) AMENDING OFFICIAL MAP AND DECLARING
ABANDONMENT OF PORTIONS OF LAWRENCE STREET, STATE STREET,
CONGER AVENUE AND ROCKLAND AVENUE, CONGERS

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

Town Attorney stated that Mr. Theodore Atzl was present on behalf of the petitioner.

Appearance: Mr. Theodore Atzl
Atzl & Scatassa Associates
248C North Main Street
New City, New York 10956

Mr. Atzl said he was representing Deka Construction. He said back in May part of this property was the subject of a zone change from LIO to R-15 which was granted. During the months of August, October and December they were in the process of processing a subdivision for 22, R-15 lots and at that time they had proposed certain road abandonments. During those discussions the Town Planning Board felt that other roads in the same vicinity ought to be abandoned and they are shown in entirety on the Abandonment Map which was included in all the public mailings. The applicant of the proposed subdivision only proposes to use a portion of Rockland Avenue and a portion of State Street. The other abandonments were proposed by the Town Planning Board which would include Conger Avenue, a portion of State Street and Lawrence Street.

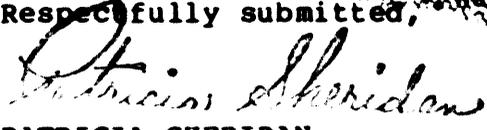
Councilman Lettre said there was a covenant in the zone change relating to the streets. Mr. Atzl said the covenant was that access for this subdivision would be Harrison Avenue exclusively and that is what this proposed subdivision will use. All the homes will enter and exit on Harrison Avenue. Mr. Atzl stated there are only two other driveways on Harrison Avenue. Councilman Maloney asked if they would be affected by this subdivision and Mr. Atzl said they will not. They would still butt on Harrison and enter and exit on Harrison Avenue.

Supervisor Holbrook asked if there was anyone in the audience wishing to speak in favor of or in opposition to the proposed abandonment or if anyone had any questions.

No one appeared.

Town Attorney said he wanted the record to note that Mr. John O'Sullivan, Superintendent of Highways, has signed a Certification indicating that the mapped but unimproved streets have not been opened or used in the last six (6) years.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 8:49 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (126-1987) ADOPTED

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TOWN OF CLARKSTOWN
PUBLIC HEARING

377

Town Hall

1/27/87

8:51 P.M.

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

RE: ZONE CHANGE FROM R-15 TO MF-3 OR MF-2 - CHAMPEAU/JONES

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

Supervisor asked if there was any correspondence in the file relating to this matter. Town Attorney said he has nothing in his file with a date later than August 19, 1986 from the Planning Board. He believed that the applicant had a representative here this evening and could update the Town Board.

Supervisor read the following letter into the record:

(Letterhead of Rockland County Planning Board)

July 22, 1986

Mr. Charles Holbrook, Supervisor
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Re: Robert Champeau and F. Jones (C-1391)
Zone Change - R-15 to MF-3
S/S of Old Schoolhouse Road and east of Demarest Ave.

Dear Mr. Holbrook:

On June 30, 1986, we sent a disapproval on the above zone change request to the Clarkstown Town Board. Subsequent to that action, the applicant's attorney questioned the apparent inconsistency between the reasons given for our findings and the disapproval.

To clarify our position on the subject, we informed said attorney and, by this letter to your Board that while we still oppose the request for the MF-3 zone, we would not find it adverse if the Town were to create a lower density MF-1 designation.

Very truly yours,

William M. Chase
Acting Commissioner of
Planning

WMC/eb

cc: T. Gill, RCHD
D. Greene, NYS DOT
H. Mack, SWCD
R. Paris, Chairman
Clarkstown Planning Board"

Town Attorney stated that he had a letter from the Clarkstown Planning Board dated August 19, 1986 regarding the referral for the zone change R-15 to MF-3. The matter was considered at the Planning Board meeting of August 4, 1986 and a

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resolution adopted by a 4-3 vote was as follows: Recommendation to the Honorable Town Board. The Planning Board has examined the above request in relation to the surrounding area, the topography and the comprehensive plan and the statutory requirements and recommends that the petition for change to MF-3 be denied but recommends that the Town Board consider a change to MF-2.

Supervisor explained that MF-2 is a multi-family district of 8 to 12 units per acre. MF-3 is 13 to 18 units per acre.

Supervisor asked if the owner was present or a representative of the owner.

Appearance: Henry Horowitz, Esq.
Virginia Avenue
West Nyack, New York

Mr. Horowitz appeared on behalf of the applicant. He said the property under discussion is actually two parcels. One is the Champeau Parcel and the other is the Jones Parcel. The petition was actually submitted for the Champeau Parcel and then the Joneses decided to submit a supplementary petition. He mentioned three courses of action - the entire application could be denied; the Champeau parcel can be approved by itself; or both could be approved together. You cannot approve the Jones parcel by itself, only because its area is less than the minimum required for a multi-family. The size of the Champeau parcel is about 1.3 acres and a little under 1-1/2 acres. The two parcels together represent under 2 acres for a total of 1.9 acres.

Mr. Horowitz referred to the comments of the County Planning Board. He presented a package which contained the recommendation of the Town Planning Consultant, the actual decision of the County Planning Board and then a subsequent decision of the County Planning Board. In effect, he said, the Town Planning Board supports multi-family but not MF-3 but rather MF-2. The County Planning Board indicates that it disapproves. They state that the request is in keeping with the land use plan concept of having greater residential density near the hamlet center. However, this is a transitional area between a lower residential density and the hamlet center. Therefore, they recommend that a transitional MF-1 zone be considered. Mr. Horowitz said they support the concept of multi-family but it is merely a question of how many units.

Mr. Horowitz said in addition to MF-1, MF-2 and MF-3 there is a further gradation depending on the size of the units. If you take a 1 bedroom unit in the MF-1 zone you may have 6 to the acre. If you have 2 bedroom units, they would be 4.8. Three or more you would have only 4. He said keeping in mind the 1 bedroom unit, the MF-1 has 6 units to the acre. The MF-2, 11.5, 1 bedroom units to the acre and the MF-3, 15.6 units to the acre. In this case it would be 1.3 times that number if you consider just the Champeau parcel or a little under two times that number if you consider the entire parcel.

The planners felt that the lower density (MF-1) should occur in the further out portions of the Town. The MF-2 were to be the somewhat interior portions of the Town and the MF-3 should be located in the actual core centers of the Town close to shopping, etc. Mr. Horowitz referred to the Hamlet Plan prepared for the Town of Clarkstown and in the study of New City on page 79 there is an indication that the Town should allow limited, additional, small scale multi-family. On page 83 they indicate that the increasing development and mix of activities suggest that multi-family development be considered for New City, probably in smaller increments than has been the case in the past. Mr. Horowitz said he wished to emphasize that here we are talking about 1-1/2 to 2 acres.

Continued on Next Page

Mr. Horowitz went on to say that on page 98 where they give the final recommendations as to where these multi-family units should take place the zoning ordinance should be amended to allow multi-family development in several areas. Potential areas are along the west side of North Main Street and near Vanderbilt Lumber. There is no parcel nearer to Vanderbilt Lumber than the one we are considering this evening.

Mr. Horowitz then requested a perusal of the Land Use and Zoning Map affixed to the petition and he went into detail here using the map as a reference and giving illustrations as to why multi-family is suitable for that area. He said the consensus was that multi-family was indicated for the area. We know that the petitioner has already built in the area (just across the street from the site under consideration) and therefore we know pretty much who is going to build, what they are going to look like and we can judge whether or not we are happy with the units which exist presently. There are existing in the area 7, 1 bedroom units and they are rentals, not condominiums. Two of the units rent for \$650.00 per month, 4 of the units rent for \$635.00 per month, 1 of the units rents for \$500.00 per month. He said he could not say if the rents would be the same for the proposed development. The owner feels he could and would do it for the same price but that remains to be seen.

Mr. Horowitz said using the formula given before there would be 8, 1 bedroom units to the acre for the Champeau parcel or 11, 1 bedroom units for the combined parcels in MF-1. There would be 15, 1 bedroom units for the Champeau parcel alone or 22 for the entire parcel using the MF-2. There would be 21, 1 bedroom units for the Champeau parcel alone or 30 for the entire parcel using the MF-3 designation. He said these numbers are not guarantees as to the total number of units that will be obtained. What they represent are the absolute maximums which could be done. The actual number of units obtained will depend upon the processing before the Planning Board. No matter what the ultimate action is the processing will first have to commence before the Planning Board in public hearings and site plan review. The actual number of units constructed will be the number which could be obtained in accordance with the site plan regulations. The total number of units cannot exceed the numbers indicated. In all likelihood the number will be less once the processing is completed.

Mr. Horowitz summed up that from the planning point of view all of the studies have agreed that this particular location should have apartments. The main question is obviously how many units? If we do not have apartments or affordable housing here, then where?

Councilwoman Smith inquired for how many years Mr. Champeau's prior 7 apartments were rental? The answer was 4 years and there is 1, two bedroom apartment there which rents for \$800.00 per month with utilities. Councilwoman Smith asked, of the 7 apartments, when they were first occupied, what was the percentage of Town or area residents? The answer was all were area residents. Councilwoman Smith then inquired about the tenancy turnover rate and was told that 3 apartments have turned over 1 time. Mr. Horowitz asked if there was any demand or if Mr. Champeau had a list of people who desire to get into the apartments? Mr. Champeau said he has always had a list of at least 20 on a regular basis.

Supervisor asked if any other Board members had any questions? There were none. Supervisor then asked if any member of the audience wished to speak.

Appearance: Mr. Donald Mallo
19 Old School House Road
New City, New York 10956

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Mr. Mallo said he resides approximately 500 feet from the property in question. He said he represents the homeowners in the area and he took exception to having the area referred to as a transitional area. He discussed traffic conditions and drainage problems and stated that those problems have not been addressed this evening. He said the area is mostly one family homes and they did not want a transient population. Mr. Mallo said the New City Jewish Center is located on Old School House Road and is a very heavily travelled road especially during the Jewish holidays and parking is a severe problem. He presented a petition from 13 homeowners who reside in and around Old Schoolhouse Road and Patti Court who are opposed to the rezoning of this area.

Appearance: Ms. Leslie Oransky, Chairperson of the
Board of Education of the New City
Jewish Center

Ms. Oransky said four evenings a week the flow of traffic on Old School House Road is very heavy. On an average day there are 250 children departing Hebrew School very unsafely on a very narrow road. This time of the year it is impossible for two lanes of traffic to flow. It is a very big consideration four evenings a week. On Sunday mornings there is also Hebrew School. On Saturday mornings there is Shabos Service which is heavily attended. If there are more people to that area we are going to have more traffic than the area can bear.

Appearance: Ms. Rosemarie Alfieri
57 Congers Road
New City, New York 10956

She said she has been living at the address for two years and is paying \$500.00 a month rent. She has lived in Rockland County for thirty years. There is no affordable housing for young professional people who want to stay here in the County. She said Mr. Champeau has done a beautiful job with the building and in picking out tenants. The building is very quiet. She said most of the people who live there have lived in the County their whole lives and they want to stay here. We are talking about at the most 11 to 16 families. You know what it will look like and she asked that the Board consider this proposal favorably.

Appearance: Mr. John Fussell
Congers Road
New City, New York

Mr. Fussell stated that he owns a business at M & M Farms property on Congers Road known as M & M Seafood. He stated that he has lived at Mr. Champeau's building for two years. He said Mr. Champeau runs a beautiful building. He could not afford a house in New City but this is a well maintained building and he was in favor of the proposal this evening. He felt his rent was reasonable for such a nice place to live.

Appearance: Ms. Suzanne Nadell
Valley Cottage, New York 10989

She stated that she has several friends living in the building at 57 Congers Road and has been on the waiting list there for quite awhile. She said the turnover rate is very low because if it was not she would already be living there. She is in favor of the new building proposed. The property is kept up nicely and the rents are affordable.

Appearance: Ms. Sandra Peck
12 Patti Court
New City, New York 10956

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She said they do need affordable housing for young people in New City but the traffic and drainage problems must be considered. If young professional couples move in that will be that many more cars to deal with on Congers Road.

Appearance: Mr. Gary Fandl
9 Sylvan Lane
New City, New York 10956

Mr. Fandl stated that he has lived at this address for eight years. He said he has noticed no appreciable increase in traffic during that time. He felt the proposed buildings would be an attractive addition to the area as well as increase the value of the area. He felt Mr. Champeau would stick with his integrity in this new project. Mr. Fandl said a better way of ingress and egress to the Hebrew School should be found as that is the traffic problem in the area.

Appearance: Mr. Frank Levin
17 Old School House Road
New City, New York 10956

Mr. Levin stated that he lives immediately east of this property in question. He noted that he is very definitely opposed to any multi-family housing.

Appearance: Mr. Donald Tirschwell
Member of Board of Trustees,
New City Jewish Center

Mr. Tirschwell said the Board is opposed to the zone change. He said there are over 700 family members of the Center. There are 500 children attending the Hebrew School. In addition there are 500 youngsters participating in the youth activities. He discussed the traffic situation on Old School House Road and Congers Road. He discussed the proposed project in great detail and the impact it would have on the area.

Appearance: Mr. John Moccia
21 Scarlet Court
New City, New York 10956

Mr. Moccia said last March his wife was hit while pushing a baby carriage across Congers Road on her way to the M & M Market. He discussed the traffic at the intersection and stated he was opposed to the proposed project.

Appearance: Mr. Harvey Newland, President
New City Jewish Center

Mr. Newland said he has been directed by the entire Board, unanimously, to object to this change in the zoning. He presented a 265 petition to the Town Board. He reiterated the traffic problems on Old School House Road and also at the corner of Congers Road and Route 304. He did not object to what Mr. Champeau has already done but he felt that Mr. Champeau would not suffer unduly if he built according to the way the parcel is currently zoned. He said the single family character of the neighborhood should be maintained and to grant a multi-family zoning would bring about a complete change to the area.

Appearance: Mr. Richard Burkerie
New City, New York 10956

Mr. Burkerie stated that he has lived in New City for over twenty years. He is presently on a waiting list with Mr. Champeau. There is nothing he can find that is fit to move into or is affordable. He said at anytime on Old School House Road you can

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travel during the day and there is no traffic whatsoever. The only time there is traffic is when there are services or Hebrew School for the New City Jewish Center.

Appearance: Mr. Daryl Breda
59 Old School House Road
New City, New York 10956

Mr. Breda said he has been living there for six months but has been a Rockland County resident for thirty-two years. Mr. Champeau's building which he presently owns has always been well maintained. He feels what Mr. Champeau can do with a new building would enhance the area and would help out the young people of New City who cannot get ahead in this Town. He felt the traffic situation was of the Jewish Center's making and they should solve their traffic problem by redesigning their traffic lot to get the cars off Old School House Road instead of lining them up on Old School House Road.

Appearance: Ms. Marjorie Wittenburg
10 Patti Court
New City, New York 10956

She is categorically opposed to the building of an apartment house. She has lived in New City for thirty-five years and she feels as though she is part of New City and it is part of her. She feels the traffic problem would be insurmountable.

Mr. Henry Horowitz then returned to sum up. The Rockland County Planning Board, not the applicant, referred to this area as a "transitional area." Everyone agrees that we need apartments but "not here." There was a school on that road for many years and more traffic was generated by that than any apartments Mr. Champeau might build. The drainage problem will be looked into in great detail and it will have to go before the Planning Board. Traffic was looked into. He said you will note that the property immediately across the street from the subject site has as much frontage on New City/Congers Road as it has on Old School House Road and that site was processed after approval from the Board of Appeals. Traffic was the subject of much discussion.

Mr. Horowitz referred to the map at this point and illustrated his remarks with references to that map. A road was originally called for connecting New City/Congers Road with Old School House Road. It was not built that way because the County Highway Department and the Clarkstown Department of Environmental Control insisted that there be no connection to New City/Congers Road. As a result the plan that was approved, the plan that was built, indicates coming off Old School House Road and stopping just short of getting out on New City/Congers Road. Whether it would make sense now, in the processing of the second piece if the County Highway Department can be convinced to let this connect to New City/Congers Road and cut this off so that the same number of units would be used in School House Road after that site is developed is something that the Planning Board would have to recommend. The traffic in this area was a study by the County Highway Department which determined that development in this area should have access to Old School House Road and not from New City/Congers Road because of the number of cars travelling at that point.

Mr. Horowitz said the last thing we want to do is to polarize a community on an issue such as this. We have the need for apartments on one side and the needs of the New City Jewish Center on the other side. The fact is that they have been expanding (there is a project going on right now) and hopefully they will continue to grow. Whether we go in here or not they are going to be facing that problem sooner or later. The fact that this comes in now may require that the Town face the problem a little sooner and that is a

Continued on Next Page

judgment the Board has to make. Should we let this property be cut up for three or four single family residences and not have the possibility of some sixteen or so additional apartments in the area? We will then lose the possibility of having apartments in the core of New City. Then the apartments will go further out and we will run into more traffic, more busing, more density, more fire, more police because the density gets further and further away from the core of our facilities. Finally, he said while he could understand those who live in the area he must point out that if the Board is motivated in any way by the sensible planning aspect of what we are proposing, then we must abide by the feelings of many agencies that this is an area for multi-family housing.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 9:55 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

RESOLUTION ADOPTED RESERVING DECISION (127-1987)

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/27/87

9:58 P.M.

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

RE: A LOCAL LAW AMENDING CHAPTER 3 (APPEARANCE TICKETS) OF THE
TOWN CODE OF THE TOWN OF CLARKSTOWN

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

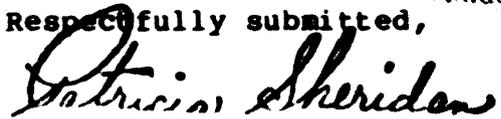
Town Attorney stated that the purpose of this amendment to Chapter 3 of the Town Code would be to authorize employees of the Department of Environmental Control to issue appearance tickets for violations of ordinances and local laws of the Town which relate to matters presently under the jurisdiction of the Department of Environmental Control. However, in the past only the Code Enforcement Officers in the Building Department were authorized to issue appearance tickets. It is our hope and expectation that this local law, if adopted, would enhance the code enforcement ability of the Department of Environmental Control and assist in the code enforcement effort of the Town Building Department.

Supervisor asked if anyone present wished to speak in favor of or in opposition to the proposed local law.

No one appeared.

There being no one wishing to be heard on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 10:01 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (128-1987) ADOPTED

ABE536

TOWN OF CLARKSTOWN
PUBLIC HEARING

387

Town Hall

1/27/87

10:04 P.M.

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

RE: AUTHORIZING INCREASED EXPENDITURE FOR EXTENSION OF SEWER
DISTRICT VICINITY OF PHILLIPS HILL ROAD, NEW-CITY

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

Supervisor said this proposal is an amendment to one adopted last year. It is the intention of the Town to pursue the construction of sewers in this area. Additional funds were needed to complete the job. Supervisor called on the representative of Charles R. Velzy to explain the reason for the public hearing.

Appearance: Mr. George Suttie
Charles R. Velzy & Associates

Mr. Suttie said in addition to the authorized expenditure, construction of and replacement of a culvert on Old Phillips Hill Road was also added to the work because of the demolition which occurred as the sewer work went on. There was need of increased capacity on that line and also the removal of a pumping station on Balter Road which was taken out of use when Rockland County interceptors came through to pick the area up. Taking that out was also added to the contract. Mr. Suttie added that prices are going up and the bids came in a good \$130,000.00 above what the estimates were.

Supervisor said if the Town Board were to take affirmative action on this tonight when will the construction of these sewers finally take place. Mr. Suttie said a bid has already been made on it and the bid documents were reviewed. The low bidder was A. Cestone Company at \$589,000.00. They have worked with the Town before, have good experience and are prepared to start work as soon as they can. Supervisor asked when that would begin. Mr. Suttie said sometime in March they would begin to blast on Old Phillips Hill Road so that work could be done in early April and the job finished by the end of May.

Councilman Carey asked why the dismantling of the pumping station was not taken into consideration from the beginning and made a part of the original estimate? Councilman Carey said unfortunately we do not get nicked and dined on these projects; it is hundreds of thousands of dollars. If this thing is done right the first time there is no necessity of coming back to this Town Board a second time to increase these prices.

Mr. Suttie said the amount of the bid to do that work was added in and was a factor and is a \$5,000.00 amount. Of the total bid of \$589,000.00, \$5,000.00 is for that job. That pumping station was required to be built because of the long delay the County took in building the interceptor and homes in the area were not able to exist on septic. The Town went in and built that pump station to use for maybe four or five years. It was there for longer than that. When the County interceptors came through they put lines in front of it and connected into to, and then took it out of service and ran lines continued up on other easements. What we are doing now is going in and taking any valuable pieces of pipe, equipment, etc. out of there and storing it at the County Highway or Town Barn and filling the operation in so it comes out of somebody's front lawn.

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Supervisor said what Councilman Carey is asking is why the cost is more than it was originally? He said his understanding basically is that the bids came in higher than expected. Mr. Suttie said all the amounts are coming in higher, very much higher. Supervisor said the consultants thought it would cost \$400,000.00 or something in that neighborhood and now the bids are coming in for \$500,000.00 or more. Councilman Carey said now we are asking for another \$170,000.00.

Mr. Suttie said the added increase is \$120,000.00 complete with everything - that is \$120,000.00 above the \$550,000.00. Councilman Lettre said that is the differential between anticipated cost and actual cost which is the simplest way to put it. Supervisor Holbrook said we want to start the blasting because people have asked on numerous occasions when this would start.

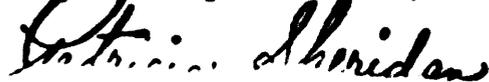
It was agreed that people could expect sewers sometime this summer.

Supervisor Holbrook asked if there was anyone present wishing to be heard.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 10:11 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (129-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/27/87

10:12 P.M.

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

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT
NO. 1 TO INCLUDE KINGSGATE CONDOMINIUMS

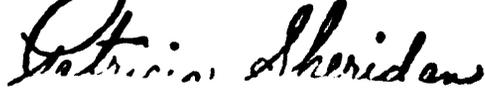
On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared open. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone wishing to speak on this proposed water extension.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 10:14 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (130-1987) ADOPTED

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