

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/10/87

8:05 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. (132-1987) DENYING ZONE CHANGE - ROBERT CHAMPEAU, FREDERICK JONES AND LYDIA JONES - R-15 to MF-2

ABE740

Co. Carey offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 31st day of December, 1986, provided for a public hearing on the 27th day of January, 1987, at 8:10 P.M., to consider the application of ROBERT CHAMPEAU, FREDERICK JONES and LYDIA JONES, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioners from an R-15 District to an MF-3 District, or in the alternative to an MF-2 District, and

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the application be DENIED.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....No
Councilwoman Smith.....No
Supervisor Holbrook.....Yes

Co. Maloney said that it is unusual that the Town Board has disagreed on items in the past but this is one hearing that he has to disagree with his colleagues. For years this Town has talked about affordable rental housing for our young people and Senior Citizens and there is not a person sitting up here who has run for office that has not made that as one of his or her campaign promises. I find it difficult to vote against twenty-two apartments that are rentals. We waited for years and years and have study upon study and someone comes before the Town Board to offer not Condominiums, not Town Houses but rentals for our young people in a part of the Town that could handle twenty-two rental apartments and so I find that I must vote in favor of the apartments and I will have to vote against this particular resolution because I think that when you talk about votes and you talk about young people I think that young people are more important.

Continued on Next Page

RESOLUTION NO. (134-1987) Continued

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

RESOLUTION NO. (135-1987)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL:
ONE HYDRANT - BROOKWOOD
LANE, NEW CITY

Co. Maloney offered the following resolution:

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

One (1) hydrant as follows:

N/S Brookwood Lane, 430 feet east of centerline
of Pleasant Hill Road

Investigation No.: 10096, and be it

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

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. (136-1987)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
THREE HYDRANTS - BANDY
COURT, CONGERS

Co. Maloney offered the following resolution:

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

Three (3) hydrants as follows:

N/S Bandy Court, 45 feet east of
center line of Route 303

W/S Bandy Court, 260 feet south of
center line of Bandy Court

E/S Bandy Court, 80 feet south of
center line of Bandy Court

Investigation No.: 10101, and be it

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

Seconded by Co. Smith

Continued on Next Page

ABE536

RESOLUTION NO. (138-1987) Continued

FURTHER RESOLVED, that it is not the intention of the Town Board to apply for a Certificate of Necessity to authorize the construction of the right-of-way proposed to be improved at less than three (3) rods in width, nor is it the intention of the Town Board to improve said right-of-way beyond its presently existing width of 40 feet, and be it

FURTHER RESOLVED, that the Director of the Department of Environmental Control is requested to provide the Town Board with a preliminary estimate of the cost of such a project upon review of the survey and design work authorized herein, and be it

FURTHER RESOLVED, that any expenditure, if necessary, pursuant to this resolution shall not exceed the sum of \$1,000.00 without further authorization of the Town Board, and be it

FURTHER RESOLVED, that the appropriation pursuant to this resolution shall be charged to Capital 2 Account, Number H-5110-01-409, and shall be reimbursed from the bonds or bond anticipation note sold in the event the road improvement project is established provided, however, the expenditure pursuant to this resolution shall be deemed a proper Town charge in the event such project is not authorized.

Seconded by Co. Carey

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. (139-1987)

AUTHORIZING THE TOWN CLERK
TO RESTRICT THE USE OF TOWN
HALL FACILITIES

Co. Carey offered the following resolution:

RESOLVED, the Town Clerk, Town of Clarkstown is hereby directed to restrict the use of the Town Hall facilities by outside groups to Tuesdays, Thursdays and Fridays, due to the heavy use of the Town parking lot caused by Justice Court sessions.

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. (140-1987)

AUTHORIZING THE SUPT. OF
HIGHWAYS, JOHN O'SULLIVAN TO
ESTABLISH A SITE ON TOWN
HIGHWAY PROPERTY FOR STORAGE
OF COMMERCIAL VEHICLES AND
ALSO DIRECTING THE SUPT. OF
HIGHWAYS TO OBTAIN PROPOSALS
FOR THE STONING AND
FINISHING OF THIS LOT

Co. Maloney offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (140-1987) Continued

BE IT RESOLVED, the Supt. of Highways, John O'Sullivan is hereby directed to establish a site at the Town Highway property on Seeger Drive, Nanuet for the purpose of establishing a storage lot to be used by Town residents who wish to store commercial vehicles over 4,000 lbs.

BE IT FURTHER RESOLVED, the Highway Superintendent is directed to obtain proposals for the stoning and finishing of this lot as soon as possible.

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. (141-1987)

AMENDING RESOLUTION NO.
103-1987 AND AUTHORIZING THE
SUPERVISOR TO ENTER INTO AN
AGREEMENT WITH THE AMBULANCE
CORPS SERVICES

Co. Smith offerd the following resolution:

WHEREAS, Resolution No. 103-1987 authorized the Supervisor to enter into a contract with the four Ambulance Corps which serve the incorporated and unincorporated portions of the Town of Clarkstown by providing emergency ambulance and life support services for the calendar year 1987, and

WHEREAS, said Resolution should be clarified;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 103-1987 is hereby amended to provide that the Supervisor is 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 (ALS) 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>BASIC</u> | <u>ALS</u> |
|---|---------------------|---------------------|
| Congers-Valley Cottage Volunteer Ambulance Corp, Inc. | \$ 85,050.00 | \$191,190.00 |
| New City Volunteer Ambulance Corps/ Rescue Squad, Inc. | \$ 58,435.00 | \$191,190.00 |
| Nanuet Community Ambulance Corps, Inc. | \$ 82,850.00 | \$191,190.00 |
| Nyack Community Ambulance Corps | <u>\$ 40,172.00</u> | <u>\$101,298.00</u> |
| Total Basic Service | \$ 266,557.00 | |
| Total Advanced Life Support Service | | \$674,868.00 |

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (141-1987) Continued

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

| | |
|---------------------------|---|
| RESOLUTION NO. (142-1987) | SETTING A PUBLIC HEARING ON A PROPOSED LOCAL LAW AMENDING SECTION 106-33 (PENALTIES FOR OFFENSES OF THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN - MARCH 24, 1987 |
|---------------------------|---|

Co. Maloney offered the following resolution:

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

"A LOCAL LAW AMENDING SECTION 106-33 (Penalties for Offenses) OF THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN" and

WHEREAS, the Town Board of the Town of Clarkstown considers that it is in the best interest of the Town to hold a public hearing on said proposed local law;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 24th day of March, 1987 at 8:25 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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

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

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. (143-1987) | AUTHORIZING DIRECTOR OF PURCHASING AND TOWN ATTORNEY TO ENTER INTO NEGOTIATIONS WITH PIERCE BUSINESS ARCHIVES FOR PROVIDING STORAGE SERVICES FOR THE TOWN OF CLARKSTOWN |
|---------------------------|---|

Co. Maloney offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (143-1987) Continued

BE IT RESOLVED, the Director of Purchasing, Larry Kohler and the Town Attorney, John Costa, are hereby directed to enter into negotiations with Pierce Business Archives, 49 Murray Hill Drive, Spring Valley, NY for the purpose of providing storage services to the Town of Clarkstown.

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. (144-1987) AUTHORIZING SUPT. OF HIGHWAYS
TO PREPARE PLANS FOR
CONSTRUCTION OF SIDEWALKS ALONG
GRANDVIEW AVENUE, NANUET.

Co. Maloney offered the following resolution:

BE IT RESOLVED, the Supt. of Highways, John O'Sullivan, is hereby authorized to prepare plans for the construction of sidewalks along Grandview Avenue in the hamlet of Nanuet, as per memo dated January 6, 1987 from Les Bollman, Director of Environmental Control (attached hereto).

BE IT FURTHER RESOLVED, the Director of Environmental Control, Les Bollman, is directed to provide the details of the surveying and topographic information necessary for the Highway Superintendent to carry out this project.

(Memo referred to above on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (145-1987) AUTHORIZING THE HIGHWAY
SUPERINTENDENT, JOHN O'SULLIVAN
AND THE DIRECTOR OF
ENVIRONMENTAL CONTROL, LES
BOLLMAN TO FORMALIZE PLANS FOR
PARKING IMPROVEMENTS - NANUET
RAILROAD STATION. SUM TO BE
CHARGED TO ACCOUNT A5650-409

Co. Smith offered the following resolution:

BE IT RESOLVED, the Highway Superintendent, John O'Sullivan, and the Director of Environmental Control, Les Bollman, are hereby authorized to formalize plans for parking improvements to the Nanuet Railroad Station parking area for a sum not to exceed \$40,000.

BE IT FURTHER RESOLVED, this sum shall be charged to Account A5650-409.

RESOLUTION NO. (145-1987) 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 |

RESOLUTION NO. (146-1987)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ENTER INTO AN AGREEMENT WITH L.A.B. ELECTRIC SALES CORP., FOR MODIFICATIONS TO TRAFFIC SIGNAL ON MAIN STREET AND NEW HEMPSTEAD ROAD, NEW CITY. EXPENDITURES CHARGED TO ACCOUNT NO. DB 5110-449

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant, has, after study and analysis, recommended that the traffic signal located on Main Street at New Hempstead Road and Congers Road in New City, be modified to improve the traffic flow at said intersection, and

WHEREAS, a proposal has been received from L.A.B. Electric Sales Corp., to do the necessary work in accordance with drawings and direction of the Town's traffic and highway engineering consultant;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized and directed to enter into a contract with L.A.B. Electric Sales Corp., in a form satisfactory to the Town Attorney, to perform the necessary work including material, labor, and all other expenses incidental to same at a cost not to exceed \$5,875.00, and be it

FURTHER RESOLVED, that the Town Board determines that the project referred to herein is a Public Works contract exempt from the provisions of Section 103 of the General Municipal Law, and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall be charged to Account No. DB 5110-449.

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. (147-1987)

ACCEPTING A GRANT OF EASEMENT MADE BY ALBERT PRASSETTO - SECTION I, CLARKSTOWN EXECUTIVE PARK

Co. Maloney offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (147-1987) Continued

RESOLVED, that a Grant of Easement, as required by the Planning Board of the Town of Clarkstown, made by ALBERT FRASSETTO dated January 13, 1987, affecting Lots 5 and 6 on a filed subdivision map entitled "SECTION I, CLARKSTOWN EXECUTIVE PARK" made by Atzl & Scatassa Associates dated January 28, 1983, last revised October 30, 1985, and filed in the Office of the County Clerk of Rockland on December 23, 1985 in Book 104 of Maps at Page 66 as Map No. 5834, is hereby accepted and ordered recorded in the Rockland County 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

RESOLUTION NO. (148-1987)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #23-1987 - ARTS AND CRAFTS SUPPLIES

Co. Carey offered the following resolution:

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

BID #23-1987
ARTS AND CRAFTS SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on Monday, March 23, 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. 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. (149-1987)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #24-1987 - HIGHWAY SIGNING AND ROAD SUPPLIES

Co. Carey offered the following resolution:

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

BID #24-1987
HIGHWAY SIGNING AND ROAD SUPPLIES

Continued on Next Page

RESOLUTION NO. (149-1987) 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 Thursday, March 5, 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. Lettre

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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|---------------------------|---|
| RESOLUTION NO. (150-1987) | AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #26-1987 - FIREWORKS DISPLAY |
|---------------------------|---|

Co. Carey offered the following resolution:

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

BID # 26-1987
FIREWORKS DISPLAY

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 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. Lettre

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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|---------------------------|--|
| RESOLUTION NO. (151-1987) | AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #25-1987 - THREE 1987 FORD F-150 PICK UP TRUCKS |
|---------------------------|--|

Co. Carey offered the following resolution:

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

BID #25-1987
THREE (3) 1987 FORD-F-150 PICK-UP TRUCKS

bids to be returnable to the Office of the Director of

ABE740

RESOLUTION NO. (151-1987) Continued

Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on Monday, March 16, 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. 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. (152-1987)

AUTHORIZING THE DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #28-1987, TWO FOUR WHEEL DRIVE TRUCKS WITH SNOW PLOWS AND SALT SPREADERS

Co. Carey offered the following resolution:

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

BID #28-1987
TWO FOUR WHEEL DRIVE TRUCKS
WITH SNOW PLOWS & SALT SPREADERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on Wednesday, March 18, 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. 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. (153-1987)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #27-1987 - FIVE 1987 FORD L800 DUMP TRUCKS WITH SNOW PLOWS & SALT SPREADERS

RESOLUTION NO (153-1987) Continued

Co. Carey offered the following resolution:

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

BID #27-1987
FIVE (5) 1987 FORD L800 DUMP TRUCKS
WITH SNOW PLOWS & SALT SPREADERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:15 (A.M.) on Monday, March 16, 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. 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. (154-1987) AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #29-1987 -
LABORATORY TESTING SERVICES

Co. Carey offered the following resolution:

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

BID #29-1987
LABORATORY TESTING SERVICES
FOR THE DEPARTMENT OF ENVIRONMENTAL CONTROL

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 Thursday, March 19, 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. Lettre

On roll call the vote was as follows:

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

ABE740

RESOLUTION NO. (155-1987)

SETTING DATE FOR PUBLIC HEARING
- MARCH 24, 1987, RE VIOLATION
OF CHAPTER 63 OF THE TOWN CODE
- DONATO MARANGI, INC.

Co. Smith offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that DONATO MARANGI, INC., located at 15 Newport Drive, Nanuet, New York, a garbage carter authorized to use the Clarkstown Sanitary Landfill has violated certain provisions of Chapter 63 of the Town Code of the Town of Clarkstown entitled, "Landfills," which are required to be observed by carters who dump in the Clarkstown Sanitary Landfill, in that garbage/debris from outside the Town of Clarkstown was dumped therein on or about January 24, 1987 without the permission of the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to prepare a Statement of Allegations with specifications, and serve notice thereon upon DONATO MARANGI, INC., for a public hearing to be held before the Town Board of the Town of Clarkstown on March 24, 1987 at 9:00 P.M. in Room 311 at Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York.

Seconded by Co. 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. (156-1987)

SETTING DATE FOR PUBLIC HEARING
(MARCH 10, 1987) RE VIOLATION
OF CHAPTER 63 OF THE TOWN CODE
- FRANK CAPASSO, INC.

Co. Lettre offered the following resolution:

WHEREAS, information has been presented to the Town Board which, if true, would establish that FRANK CAPASSO, INC., located at 20 Svensson Place, Nanuet, New York, a garbage carter authorized to use the Clarkstown Sanitary Landfill has violated certain provisions of Chapter 63 of the Town Code of the Town of Clarkstown entitled, "Landfills," which are required to be observed by carters who dump in the Clarkstown Sanitary Landfill, in that garbage/debris from outside the Town of Clarkstown was dumped therein on or about January 28, 1987 without the permission of the Town Board;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to prepare a Statement of Allegations with

Continued on Next Page

RESOLUTION NO. (158-1987) Continued

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.

(Schedule A referred to above 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 |

RESOLUTION NO. (159-1987)

AWARDING BID #10-1987 -
GROUNDSKEEPING/LANDSCAPE
SUPPLIES - THE TERRE CO.,
BECKERLE LUMBER, MATTERHORN
NURSERY, SHEMIN NURSERIES,
FREDERICKS

Co. Maloney offered the following resolution:

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

BID #10-1987
GROUNDSKEEPING/LANDSCAPE SUPPLIES

is hereby awarded to

THE TERRE CO.
BOX 100
206 DELAWANNA AVE.
CLIFTON, N. J. 07014

BECKERLE LUMBER
3 CHESTNUT ST.
SPRING VALLEY, N. Y. 10977

MATTERHORN NURSERY
227 SUMMIT PARK ROAD
SPRING VALLEY, N.Y. 10977

SHEMIN NURSERIES
1081 KING ST.
BOX 64-GLENVILLE STA.
GRENWICH CT. 06830

FREDERICKS
100 STATION SQ.
CONGERS, N.Y. 10920

as per attached schedule of prices.

(Schedule of Prices on file in Town Clerk's Office.)

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (159-1987) Continued

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

RESOLUTION NO. (160-1987) AWARDING BID #62-1986, SANITARY
 SEWER SYSTEM TO A. CESTONE CO.
 INC./METRA INDUSTRIES, INC.

Co. Maloney offered the following resolution:

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

BID #62-1986
 SANITARY SEWER SYSTEM
 PHILLIPS HILL ROAD AREA, NEW CITY

is hereby awarded to:

A. CESTONE CO., INC./METRA INDUSTRIES, INC.
 A JOINT VENTURE
 710 BLOOMFIELD AVE.
 GLEN RIDGE, N.J. 07028

as per their low bid proposal of \$589,919.00 and be it

FURTHER RESOLVED, that this award is subject to the
 execution of a formal contract in a form acceptable to the Town
 Attorney and the submission of a Performance and Labor/Material
 Payment Bonds as required by bid specifications.

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. (161-1987) AWARDING BID #13-1987, MILL
 STREAM DRAINAGE IMPROVEMENT
 PROJECT TO J. FLETCHER CREAMER
 & SON, INC.

Co. Maloney offered the following resolution:

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

BID #13-1987
 MILL STREAM DRAINAGE IMPROVEMENT PROJECT

is hereby awarded to:

ABE740

RESOLUTION NO. (161-1987) Continued

J. FLETCHER CREAMER & SON, INC.
799 RIVER ROAD
EDGEWATER, N.J. 07020

as per their low bid proposal of \$109,380.00 and be it

FURTHER RESOLVED, that this award is subject to the execution of a formal contract in a form acceptable to the Town Attorney and the submission of a Performance and Labor/Material Payment Bonds as required by bid specifications.

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. (162-1987)

AWARDING BID #14-1987, PRINTING
OF 1987 RECREATION & PARKS
BROCHURE TO NORM REED
ASSOCIATES, INC.

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Supt. of Recreation and Parks that

BID #14-1987
PRINTING OF 1987 RECREATION & PARKS BROCHURE

is hereby awarded to:

NORM REED ASSOCIATES, INC.
155 SIXTH AVE.
NEW YORK, N.Y. 10013

as per the attached low bid proposal.

(Proposal referred to above 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

RESOLUTION NO. (163-1987)

AUTHORIZING ATTENDANCE AT
SEMINAR, PACE UNIVERSITY, WHITE
PLAINS - PAUL V. NOWICKI, ESQ.
AND RONALD E. DECHRISTOFORO,
ESQ.

RESOLUTION NO. (163-1987) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby authorized to attend a seminar on "Planning for Tomorrow's Development" to be held at Pace University, White Plains, New York on February 20, 1987, sponsored by the New York State Bar Association, at a fee of \$50.00 per person; and be it

FURTHER RESOLVED, that the expenses for the above, plus travel and other necessary expenses be charged to Account No. A1010-414.

PAUL V. NOWICKI, ESQ.

RONALD E. DeCHRISTOPORO, ESQ.

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. (164-1987)

AUTHORIZING ATTENDANCE AT SEMINAR - SOLID WASTE MANAGEMENT - GERALD BRICKWOOD AND MICHAEL ARANEO, ENVIRONMENTAL DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Brickwood, Deputy Director, Department of Environmental Control and Michael Araneo, Landfill Supervisor of the Town of Clarkstown, are hereby authorized to attend a seminar on Solid Waste Management to be held on April 27 and 28, 1987, at the Turf Inn, Albany, New York, and be it

FURTHER RESOLVED, that all proper charges be charged against appropriation account #A1010-414.

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. (165-1987)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDINGS FOR REMOVAL OF VIOLATION OF CHAPTER

ABE740

RESOLUTION NO. (165-1987) Continued

79 - HIGHVIEW INVESTMENT AND
SETTING PUBLIC HEARING ON MARCH
24, 1987

Co. Carey offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of Clarkstown provides that the Town Board may, by resolution, authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 57, BLOCK G, LOT 4, located at 61 S. Main Street, New City, New York, reputedly owned by HIGHVIEW INVESTMENT COMPANY, has been the subject of a violation notice issued against the property owner(s) for lack of property maintenance of the property in that there are overflowing dumpsters and a large accumulation of garbage and debris on the ground surrounding said dumpsters and other areas of the parking lot, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 57, BLOCK G, LOT 4, reputedly owned by HIGHVIEW INVESTMENT COMPANY, and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 24th day of March, 1987, at 8:10 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

Continued on Next Page

RESOLUTION NO. (165-1987) Continued

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before February 20, 1987.

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. (166-1987)

AUTHORIZING TOWN ATTORNEY TO
INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION OF CHAPTER
79 - SCHWARZ - COUNTY CONCRETE
- AND SETTING PUBLIC HEARING ON
MARCH 24, 1987

Co. Carey offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of Clarkstown provides that the Town Board may, by resolution, authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 105, BLOCK A, LOT 33.3, located at Route 59, West Nyack, New York, reputedly owned by ALBERT SCHWARZ and LILY SCHWARZ, has been the subject of a violation notice issued against the property owner(s) for lack of property maintenance of the property in that there is construction debris, discarded truck parts, including but not limited to, drums from transit mixers, transit mixers, steel drums, tanks and various scrap metal and rubbish, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and hazard allegedly existing on said premises pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 105, BLOCK A, LOT 33.3, reputedly owned by ALBERT SCHWARZ and LILY SCHWARZ, and be it

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

Continued on Next Page

ABE740

RESOLUTION No. (166-1987) Continued

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 24th day of March, 1987, at 8:15 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before February 20, 1987.

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. (167-1987)

AUTHORIZING TOWN ATTORNEY TO
INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION OF CHAPTER
79 - PARTIDGE AND SETTING
PUBLIC HEARING MARCH 24, 1987

Co. Carey offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of Clarkstown provides that the Town Board may, by resolution, authorize the Superintendent of Highways or other designee to remove any nuisance, hazard or litter from any property within the Town of Clarkstown upon the failure of the property owner(s), tenant(s) or occupant(s) to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or other delegees to remove such nuisance, hazard or litter as defined in Section 79-3 of the Code of the Town of Clarkstown existing on private property, and

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 89, BLOCK B, LOT 11.1, located at 3 Benson Avenue, West Nyack, New York, reputedly owned by HARRY C. PARTRIDGE, JR., has been the subject of a violation notice issued against the property owner(s) for lack of property maintenance of the property in that there is an uncovered dumpster, trash and litter surrounding the dumpster, including but not limited to paper, cans and other empty containers, which to the extent such accumulation has occurred on said property has created a nuisance and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (167-1987) Continued

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violations and elimination of the nuisance and litter existing on said premises pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 89, BLOCK B, LOT 11.1, reputedly owned by HARRY C. PARTRIDGE, JR., and be it

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

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

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 24th day of March, 1987, at 8:20 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owner(s) by personal service, if possible, and by certified mail, return receipt on or before February 20, 1987.

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. (168-1987)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING AT CRESTWOOD DRIVE, VERDIN DRIVE, ESQUIRE ROAD & LAUREL ROAD, NEW CITY

Co. Smith 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,

Continued on Next Page

ABE536

RESOLUTION NO. (168-1987) Continued

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:

Crestwood Drive New City
(Pole #6 - One (1) 5800 lumen sodium vapor street light)

Verdin Drive New City
(Pole #59366/42100 - One (1) 5800 lumen sodium vapor street light)

Esquire Road New City
(Pole #59369/41432 - One (1) 5800 lumen sodium vapor street light)

Laurel Road New City
(Pole #59340/41385 - One (1) 9500 HPS (lucalox) street light)

Remove - Pole #59340/41385 - One (1) 7900 lumen mercury vapor
Pole #59340/41385 - One (1) 9500 HPS (lucalox) street light

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. (169-1987)

AUTHORIZING SUPT. OF HIGHWAYS TO IMPLEMENT RECOMMENDATIONS OF HOWARD LAMPERT, TRAFFIC ENGINEER RE (A) SOUTH CONGERS AVE., CONGERS AND (B) WEST CLARKSTOWN ROAD, SPRING VALLEY

Co. Smith offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated January 28, 1987 has recommended various traffic sign and guide rail changes be implemented on South Congers Avenue, Congers,

NOW, THEREFORE, be it

RESOLVED, that John O'Sullivan, Supt. of Highways is hereby directed to make the following sign and guide rail changes:

- (1) NB at Lake Road - change "Yield" to "Stop"
- (2) SB at Lake Road - change "Yield" to "Stop"
- (3) WB Third St. at S. Congers Ave. - add "Stop" sign.
- (4) Guide rail at the south end of S. Congers Ave. be upgraded to meet present guide rail standards.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (169-1987) Continued

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

| | |
|---------------------------|---|
| RESOLUTION NO. (170-1987) | DIRECTING SUPT. OF HIGHWAYS TO PERFORM IMPROVEMENTS ON THE GUIDE RAIL ON WEST CLARKSTOWN ROAD, SPRING VALLEY |
|---------------------------|---|

Co. Smith offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated January 28, 1987 has recommended certain improvements to the guide rail on 415 West Clarkstown Road, Spring Valley.

NOW THEREFORE, be it

RESOLVED, that John O'Sullivan, Supt. of Highways is hereby directed to perform the following improvements to the existing heavy post railing:

- (1) Additional posts should be installed halfway between the existing posts to reduce the post spacing to 6'3". (10 needed)
- (2) Offset beams should be installed on all posts (21 needed)
- (3) Shop-curved end rail sections, terminal rail sections and concrete ambers should be installed at both ends (2 each needed).
- (4) Pavement Narrows sign E/O Gerardine Place is improper and should be replaced with the proper sign.

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. (171-1987) | AUTHORIZING THE TOWN'S PLANNING CONSULTANT, RPPW, INC. TO OBTAIN THE SERVICES OF A TRAFFIC ENGINEER TO PREPARE A TRAFFIC STUDY TO DEAD END EAST ORCHARD STREET AND GRACE STREET, NANUET AND CHARGED TO ACCOUNT B8020-409 |
|---------------------------|---|

Co. Carey offered the following resolution:

RESOLVED, that the Town's Planning Consultant, RPPW, Inc., is hereby authorized to obtain the services of a traffic

Continued on Next Page

ABE740

RESOLUTION NO. (171-1987) Continued

engineer to prepare a traffic study with respect to the proposal to dead end East Orchard Street and Grace Street, in the Hamlet of Nanuet, New York, and be it

FURTHER RESOLVED, that an appropriation of a sum not to exceed \$5,000.00 for such services shall be charged to Account No. B-8020-409, subject to review by the Town Attorney to determine if the existing contract Scope of Services includes the subject study without additional compensation.

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. (172-1987)

REFERRING APPLICATION FOR
280a(2) - FOXWOOD HILLS -
CLARKSTOWN PLANNING BOARD

Co. Maloney offered the following resolution:

BE IT RESOLVED, application for 280a(2) (Open Development Area) for resubdivision of Lot 6, Foxwood Hills, New City - Map 39, Block A, Lot 17.016) be referred to the Clarkstown Planning Board.

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 (173-1987)

CREATING THREE POSITIONS OF
LABORER - HIGHWAY DEPARTMENT

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 2, 1987, that three (3) positions of Laborer - Highway Department - can be created,

NOW THEREFORE, be it

RESOLVED, that the three (3) positions of Laborer - Highway Department - are hereby created, effective February 10, 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. (174-1987)

EXTENDING EMPLOYMENT OF
MADELINE WEIGOLD, PART-TIME
CLERK (TEMPORARY) - HIGHWAY
DEPARTMENT

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified by letter dated January 29, 1987, that the employment of Madeline Weigold, part-time Clerk (Temporary) - Highway Department - can be extended,

NOW THEREFORE, be it

RESOLVED, that Madeline Weigold, 7 Aspen Lane, New City, New York, is hereby granted an extension of time in the position of part-time Clerk (Temporary) - Highway Department - at the hourly rate of \$6.00, effective and retroactive to January 15, 1987, for a period up to and including February 28, 1987.

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. (175-1987)

EXTENDING EMPLOYMENT FOR
PATRICIA MALONEY, CLERK
TEMPORARY, HIGHWAY DEPARTMENT

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified by letter dated January 29, 1987, that the employment of Patricia Maloney, Clerk (Temporary) - Highway Department - can be extended,

NOW THEREFORE, be it

RESOLVED, that Patricia Maloney, 1 Victoria Drive, Nanuet, New York, is hereby granted an extension of time in the position of Clerk (Temporary) - Highway Department - at the hourly rate of \$6.00, effective and retroactive to January 29, 1987, for a period up to and including February 28, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (176-1987)

APPOINTING RITA MAKLIN TO THE
POSITION OF SENIOR
STENOGRAPHER, DEPARTMENT OF
ENVIRONMENTAL

Co. Smith offered the following resolution:

Continued on Next Page

ABE536

RESOLUTION NO. (176-1987) Continued

RESOLVED, that Rita Maklin, 4 Maplewood Lane, New City, New York, is hereby appointed to the position of (provisional) Senior Stenographer - Department of Environmental Control - at the current 1987 annual salary of \$15,014., effective February 16, 1987.

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. (177-1987)

GRANTING SICK LEAVE OF ABSENCE
- JAMES COLE - TOWN HIGHWAY
DEPARTMENT

Co. Smith offered the following resolution:

RESOLVED, that James Cole, 29 Whitman Street, Congers, New York, Motor Equipment Operator II - Town Highway Department - is hereby granted a Sick Leave of Absence, at one-half pay, effective and retroactive to January 26, 1987 - for a period up to and including February 4, 1987.

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. (178-1987)

APPOINTING WILLIAM E. FRITZ AS
POLICE OFFICER

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of William E. Fritz, 177 Sierra Vista Lane, Valley Cottage, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - \$84200 - at the current 1987 annual salary of \$27,929., effective February 16, 1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (179-1987)

APPOINTING MICHAEL R. SULLIVAN,
POLICE OFFICER

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Michael R. Sullivan, 994 Rock Drive, Valley Cottage, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - \$84200 - at the current 1987 annual salary of \$27,929., effective February 16, 1987.

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. (180-1987)

APPOINTING PETER J. MONROE,
POLICE OFFICER

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recongnizes the appointment by the Police Commission of Peter J. Monroe, 1 Hickory Drive, Nanuet, New York, as Police Officer - Police Department - from Certification of Eligibles - Plice Officer - #84200 - at the current 1987 annual salary of \$27,929., effective February 23, 1987.

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. (181-1987)

APPOINTING ROBERT W. GALYON,
POLICE OFFICER

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Robert W. Galyon, 21 Freund Drive, Nanuet, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1987 annual salary of \$27,929., effective February 23, 1987.

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. (182-1987)

AUTHORIZING FIRE LANE
DESIGNATION AT NEW CITY JEWISH
CENTER

Co. Lettre offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at New City Jewish Center (57-B-44,45 & 46) by the installation of fire lane designations, and

WHEREAS, Dr. James J. Yarmus, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

Continued on Next Page

ABE740

RESOLUTION NO. (182-1987) Continued

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

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. (183-1987) APPROVING COMPENSATION FOR
ALICE SECORA AND CHARGE TO FEES
FOR SERVICES PERSONNEL DEPT.
BUDGET A-1430-409

Co. Maloney offered the following resolution:

WHEREAS, Alice Secora, 19 Jerrys Avenue, Nanuet, New York, 10954 has assisted with the transition of personnel upon her retirement, now therefore be it

RESOLVED, that the Town Board approves compensation for her time from April 2, 1986 to May 9, 1986 inclusive (74 hours) for a total payment of \$551.88 to be charged to the Fees for Services - Personnel Department Budget A-1430-409.

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. (184-1987) APPOINTING AND AUTHORIZING A
HEARING OFFICER WITH REGARD TO
SECTION 75 OF THE CIVIL SERVICE
LAW - DISCIPLINARY PROCEEDING
AND CHARGING IT TO ACCOUNT NO.
1420-209

Co. Maloney offered the following resolution:

WHEREAS, by charges and specifications dated February 10, 1987, the Director of the Department of Environmental Control, Leslie F. Bollman, has instituted disciplinary proceedings pursuant to Section 75 of the Civil Service Law against JOSEPH BENDIG;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby confirms the commencement of said proceedings and thirty (30) days suspension, effective with service of charges and specifications, and be it

RESOLUTION NO. (184-1987) Continued

FURTHER RESOLVED, that Patrick J. Finnegan, Esq., 16 Virginia Avenue, West Nyack, New York, is hereby appointed as hearing officer to hear, report and recommend action to be taken by the Town Board, and be it

FURTHER RESOLVED, that the sum of \$100.00 per hour shall be charged for all necessary services performed by said hearing officer, and be it

FURTHER RESOLVED, that appropriations pursuant to this resolution shall be charged to Account No. 1420-209.

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. (185-1987) CANCELLING LIS PENDENS MAP 59,
BLOCK A, LOT 1 - APPELBAUM

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice Pursuant to Town Code, Chapter 79, dated June 10, 1986, for premises designated on the Clarkstown Tax Map as MAP 59, BLOCK A, LOT 1, has been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$198.00 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, service of process, records search, stenographic services and all other expenses including attorney's time.

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. (186-1987) CANCELLING LIS PENDENS MAP 162,
BLOCK A, LOT 2 - BETZ

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice pursuant to Town Code, Chapter 79, dated June 10, 1986, for premises designated on the Clarkstown Tax Map as MAP 162, BLOCK A, LOT 2 has been corrected;

NOW, THEREFORE, be it

Continued on Next Page

ABE740

RESOLUTION NO. (186-1987) Continued

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$218.00 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, service of process, records search, stenographic services and all other expenses including attorney's time.

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. (187-1987) CANCELLING LIS PENDENS MAP 127,
BLOCK B, LOT 15 - DELROSARIO

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice Pursuant to Town Code, Chapter 79, dated August 12, 1986, for premises designated on the Clarkstown Tax Map as MAP 127, BLOCK B, LOT 15 has been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$188.68 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, service of process, records search, stenographic services and all other expenses including attorney's time.

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. (188-1987) CANCELLING LIS PENDENS MAP 109,
BLOCK F, LOT 12 (HELMCKE)

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice Pursuant to Town Code, Chapter 79, dated September 9, 1986, for premises designated on the Clarkstown Tax Map as MAP 109, BLOCK F, LOT 12, has been corrected;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (188-1987) Continued

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$177.50 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, service of process, records search, stenographic services and all other expenses including attorney's time.

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. (189-1987)

CANCELLING LIS PENDENS MAP 8,
BLOCK A, LOT 4.29 - WASHINGTON
AND POWELL

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice dated September 23, 1986, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 8, BLOCK A, LOT 4.29 has been corrected, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens heretofore filed in the Rockland County Clerk's Office, provided the sum of \$205.00 shall be paid to reimburse the Town for the cost of service of process, filing fees, index number, records search, stenographic services and attorney's time.

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. (190-1987)

AUTHORIZING DEFERRED
COMPENSATION PLAN - EQUITABLE
COMPANY

Co. Maloney offered the following resolution:

WHEREAS, the Town Board has agreed to accept the recommendations of the Deferred Compensation Committee to have the Town elect a Deferred Compensation Plan under authorization by the Internal Revenue Service, Code No. 457, Section 5 of the State Finance Code, and be it

THEREFORE RESOLVED, to award the bid to Equitable Company for their Deferred Compensation Plan, at no cost to the Town.

Seconded by Co. Smith

Continued on Next Page

ABE740

RESOLUTION NO. (190-1987) 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. (191-1987)

SETTING A PUBLIC HEARING ,
MARCH 24, 1987, AND REFERRING
ZONE CHANGE TO ROCKLAND COUNTY
PLANNING BOARD RE ROUTE 59
CORRIDOR

Co. Maloney offered the following resolution:

WHEREAS, the Town Board by Resolution No. 1071-1987 dated December 10, 1985, authorized that a traffic and land use study be made on the Route 59 Corridor, and

WHEREAS, certain recommendations have been made as a result of the study which involved the possibility of rezoning portions of the property for development or redevelopment in the Route 59 Corridor, and

WHEREAS, the Town Board wishes on its Own Motion to schedule a public hearing to consider the rezoning of certain properties to a residential zone;

NOW, THEREFORE, be it

RESOLVED, the Town Board on its Own Motion proposes that a change of zone from an RS District to an R-15 District, on properties designated on the Clarkstown Tax Map as: Map 163, Block B, Lot 1, and Map 14, Block D, Lots 20, 21, 22, 23, 23.01, 24, 25, 27 and 28, is hereby scheduled for a public hearing, and be it

FURTHER RESOLVED, that such public hearing, pursuant to Section 264 and 265 of the Town Law, be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, New York, on the 24th day of March 24, 1987 at 8:30 P.M., relative to the proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the application for a zone change shall be referred to the Rockland County Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown, and other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

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

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (193-1987) Continued

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

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an CS District to an MF-2 District, the following described property in the Hamlet of New City, New York, in said Town, and be it

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

(Description on File in Town Clerk's Office.)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing Re: Authorizing Superintendent of Highways To Remove Debris On Premises Designated As Map 7, Block E, Lot 10 (Brown) was opened, time: 8:54 P.M.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing Re: Authorizing Superintendent of Highways To Remove Debris On Premises Designated As Map 7, Block E, Lot 10 (Brown), was declared closed, RESOLUTION ADOPTED, time: 9:00 P.M.

RESOLUTION NO. (194-1987) AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 7, BLOCK E, LOT 10 (BROWN)

Co. Lettre offered the following resolution:

WHEREAS, by Resolution No. 1263 dated December 31, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 7, BLOCK E, LOT 10, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on February 10, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated December 31, 1986, have not been corrected, and be it

RESOLUTION NO. (194-1987) Continued

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after the 20th day of February, 1987, and be it

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

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

Seconded by Co. Maloney

On roll call the vote was as follows:

| | |
|--------------------------|-----|
| 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: Authorizing Superintendent of Highways To Remove Debris On Premises Designated As Map 120, Block A, Lot 31.1, Central Nyack, Hegerty Homes, was opened, time: 9:00 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Authorizing Superintendent of Highways To Remove Debris On Premises Designated As Map 120, Block A, Lot 31.1, Central Nyack, Hegerty Homes, was declared closed, RESOLUTION ADOPTED, time: 9:15 P.M.

RESOLUTION No. (195-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 120, BLOCK A, LOT 31.1, CENTRAL NYACK, HEGERTY HOMES

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 1261 dated December 31, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 120, BLOCK A, LOT 31.1, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on February 10, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law.

NOW, THEREFORE, be it

Continued on Next Page

ABE740

RESOLUTION NO. (195-1987) Continued

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated December 31, 1986, have not been corrected, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after the 1st day of March, 1987, and be it

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

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

Seconded by Co. Lettre

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: Authorizing The Superintendent Of Highways To Remove Debris On Premises Designated As Map 5, Block B, Lot 19, Spring Valley, (Louis-Charles), was opened, time: 9:15 P.M.

On motion of Councilman Maloney, seconded by Councilman Smith and unanimously adopted, the Public Hearing Re: Authorizing The Superintendent Of Highways To Remove Debris On Premises Designated As Map 5, Block B, Lot 19, Spring Valley, (Louis-Charles), was declared closed, RESOLUTION ADOPTED, time 9:27 P.M.

RESOLUTION NO. (196-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 5, BLOCK B, LOT 19, SPRING VALLEY (LOUIS-CHARLES)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 1260 dated December 31, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 5, BLOCK B, LOT 19, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on February 10, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law.

RESOLUTION NO. (196-1987) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated December 31, 1986, have not been corrected, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after the 20th day of February, 1987, and be it

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

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

Seconded by Co. 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 Councilman Smith and unanimously adopted, the Public Hearing Re: Authorizing Superintendent Of Highways To Remove Debris On Premises Designated As Map 57, Block D, Lots 5 and 6, New City, (SAVINO) was opened, time: 9:28 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing Re: Authorizing Superintendent Of Highways To Remove Debris On Premises Designatd As Map 57, Block D, Lots 5 And 6, New City (SAVINO), was declared closed, RESOLUTION ADOPTED, time: 9:33 P.M.

RESOLUTION NO. (197-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 57, BLOCK D, LOTS 5 AND 6, NEW CITY, (SAVINO)

Councilman Maloney offered the following resolution:

WHEREAS, by Resolution No. 1259 dated December 31, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 5, BLOCK D, LOTS 5 and 6, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

Continued on Next Page

ABE740

RESOLUTION NO. (197-1987) Continued

WHEREAS, a public hearing was duly held on February 10, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated December 31, 1986, have not been corrected, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after the 20th day of February, 1987, and be it

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

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

Seconded by Co. 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: Authorizing Superintendent Of Highways To Remove Debris On Premises Designated As Map 141, Block A, Lot 14, Congers, (Feldi), was opened, time: 9:34 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing Re: Authorizing Superintendent Of Highways To Remove Debris On Premises Designated As Map 141, Block A, Lot 14, Congers, (Feldi), was declared closed, RESOLUTION ADOPTED, time: 9:45 P.M.

RESOLUTION NO. (198-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 141, BLOCK A, LOT 14, CONGERS, (FELDI)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 1264 dated December 31, 1986, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the

RESOLUTION NO. 198-1987) Continued

Clarkstown Tax Map as MAP 14], BLOCK A, LOT 14, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on February 10, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated December 31, 1986, have not been corrected, and be it

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he hereby is authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector if such condition continues uncorrected on or after the 1st day of March, 1987, and be it

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

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

Seconded by Co. 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 Councilman Lettre and unanimously adopted, the Public Hearing re: LOCAL LAW NO. 4-1985 - (PARKING) was opened, time: 9:45 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: LOCAL LAW NO. 4-1985 - (PARKING) was closed, RESOLUTION ADOPTED, time: 9:55 P.M.

| | |
|---------------------------|-------------------------------|
| RESOLUTION NO. (199-1987) | ADOPTING LOCAL LAW NO. 4-1987 |
| | AMENDMENT TO LOCAL LAW NO. |
| | 2-1985, CHAPTER 71 - PARKING |

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT TO LOCAL LAW NO.
2-1985, CHAPTER 71 (PARKING)"

Continued on Next Page

ABE740

RESOLUTION NO. (199-1987) Continued

was introduced by Councilman Maloney at a Town Board meeting held on 13th day of January, 1987, at 8:45 P.M., and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 13th day of January, 1987, directed that a public hearing be held on the 10th day of February, 1987, at 8:45 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on January 28, 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 13, 1987, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on February 10, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4-1987, entitled:

"AMENDMENT TO LOCAL LAW NO. 2-1985, CHAPTER 71 (PARKING)" is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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

RESOLUTION NO. (200-1987)

RECONVENING PUBLIC HEARING TO MARCH 3 WITH RESPECT TO ALLEGED VIOLATION OF CHAPTER 63 (LANDFILLS) OF THE TOWN CODE OF TOWN OF CLARKTOWN BY R & R CARTING DISPOSAL, INC.

Co. Smith offered the following resolution:

RESOLVED, that a public hearing scheduled for January 27, 1987 on alleged violation of Chapter 63 (Landfills), committed by R & R Carting Disposal, Inc., is hereby scheduled to be reconvened on March 3, 1987 at 8:00 P.M. in Room 311 of the Clarkstown Town Hall, and the Town Attorney is hereby directed to send a copy of this resolution to the attorney for the Respondent.

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 Town Board Meeting was declared closed, time: 10:00 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

59

Town Hall

2/10/87

8:05 P.M.

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

RE: ZONE CHANGE FROM CS DISTRICT TO MF-2 DISTRICT - SAMUEL
WEINBERGER

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. The Town Attorney said he had correspondence dated Janu0ry 21, 1987 from the Town of Clarkstown Planning Board which contains a recommendation after considering the referral as follows: The Planning Board has examined the petition of Weinberger/Park Avenue Apartments, 57 M12, New City in relation to the surrounding area, the comprehensive plan, and the statutory requirements and recommends a change to MF-2 in accordance with previous recommendations made by the Board. He said there is also a submission of a short form environmental assessment form which shows that the project will result in no major impacts and cause no significant damage to the environment and that all agencies interested in this application have been notified of the determination. There is correspondence dated January 7, 1987 from the Rockland County Planning Board indicating that this proposal was reviewed on January 6, 1987 and the Rockland County Planning Board reports that it approves and says it is for local determination for the following reasons:

1. The Rockland County Planning Board did approve the plan for apartments in a letter dated April 7, 1981.
2. Apartments are allowed in both the CS and MF-3 zones.
3. Since the development is in the midst of construction and there is need to rectify the zoning requirements, we feel that the zone change would not be adverse to nearby Route 304. Signed: William R. Chase, Commissioner of Planning.

Mr. Stein who represented the applicant said that there was a building permit obtained to construct this ten-unit town house apartment. During the process there was a cease and desist order issued. Construction was stopped. The reason was because the exterior walls did not conform to the fire rating for the CS zone. An exception was granted because of the hazard to the materials and to the investment. The building was closed up and a change in zone is necessary to legitimize the structure as it now stands. I think the petition clearly states that there is no potential damage to the adjacent lots or structures because of this oversight.

Co. Lettre asked if construction has been halted or if it is still underway.

Mr. Stein said he cannot be absolutely sure that it is active now but it was stopped and it was closed in to protect the amount of structure that had been completed at that time.

Mr. Lettre asked what is the acreage?

Mr. Stein said 3/4 of an acre.

Continued on Next Page

ABE740

Mr. Lettre asked what was the oversight you referred to?

Mr. Stein said the fire rating on the exterior walls was constructed as fire B and fire A was required in the CS zone.

Mr. Costa said there is a statement in the petition that should the zone change be granted and the buildings completed as presently intended, that there would be no greater risk to fire damage either to the buildings or to the adjoining home owners if approved.

Mr. Stein said that is correct.

Councilwoman Smith asked if the building permit was secured for the ten units in the CS district without a variance?

Mr. Stein said that the building permit was granted and then rescinded.

Mr. Maloney said that you are requesting either an MF-3, MF-2 or MF-1 whatever the Town Board prefers.

The Town Attorney said that the information that is in the petition indicates that the variance was granted as appeal 1879, June 24, 1985.

Supervisor Holbrook asked if there was anyone wishing to speak either in favor or in opposition to the petition.

No one appeared.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time 8:55 P.M.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (#193-1987) ADOPTED

Town Hall

2/10/87

8:54 P.M.

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

RE: VIOLATION ON PREMISES - MAP 7, BLOCK E, LOT 10 (BROWN)

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

Town Attorney John Costa testified as to proper posting and notification of owners. Town attorney said that an Order and Notice was prepared and served upon Clyde Brown at 4 Second Avenue, Spring Valley, New York by certified mail, return receipt on January 12, 1987. The Notice and Order provided that the owner, occupant of the property, remove a nuisance hazard and litter from the property as described in an Order from the Building Inspector dated December 18, 1986 which directed that removal of debris, which the Town Attorney listed, be removed within ten days. This proceeding was initiated because no action was undertaken by the property owner. The certified mail was attempted to be delivered on January 13, 18, and 28 and was returned to the Town Attorney's office indicating that the correspondence was unclaimed.

Mr. Richard Sullinger was sworn in by the Town Attorney and he stated that he was a Code Inspector for the Town of Clarkstown.

Mr. Sullinger said he responded to a complaint that he received on December 18, 1986. He said he found on the rear property of 4 Second Avenue, Spring Valley, the items that Mr. Costa listed on the violation. At this time he said he had not heard from Mr. Brown or anyone who represented him as to whether he had any intention of moving it or whether he had received the violation notice

Town Attorney asked Mr. Sullinger if the street address as Map 7, Block E, Lot 10 is reported on the tax map?

Mr. Sullinger said "yes."

Mr. Sullinger said that he has photographs which he personally took which depict a fair and accurate representation of the site. He gave testimony which supported his findings and which can be presented in evidence to the Board.

The Town Attorney asked what is the zone on this property?

Mr. Sullinger said it is residential.

Supervisor Holbrook said that on Second Avenue, the front of the property does not look so bad but if you go around the side that is where the junk yard is. It's right on the border between Spring Valley, the village and the Town.

The Town Attorney asked Mr. Sullinger if, when he was on the site, he met anybody who was an attendant or claimed ownership or if anyone was living at the site?

Mr. Sullinger said "no."

The Town Attorney asked if there is anyone present who has any knowledge of this or if the owner is present tonight?

Continued on Next Page

ABE740

The Town Attorney asked if there was anyone who had any questions to ask Mr. Sullinger and if Mr. Sullinger had any recommendations to make.

Mr. Sullinger said he recommends that the Town Board take whatever action is necessary to clean up the property if the owner has not done so within a period of time declared by the Town Board.

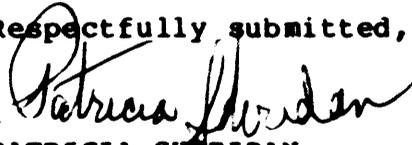
The Town Attorney asked Mr. Sullinger if it is his opinion that this condition presents a hazard to the public health, safety, and welfare of the community?

Mr. Sullinger said "yes".

Supervisor Holbrook asked if there were any other questions and if there was anyone representing the property owner present? No one appeared.

On motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:00 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(Resolution No. (#194-1987) Adopted

TOWN OF CLARKSTOWN
PUBLIC HEARING

63

Town Hall

2/10/87

9:00 P.M.

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

RE: VIOLATION HEARING ON PREMISES, MAP 120, BLOCK A, LOT 31.1
HEGERTY HOMES - CENTRAL NYACK

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

The Town Attorney John Costa testified as to proper posting and notification of owners and listed the debris which was the reason for the violation being served. The condition complained of in the Order was uncorrected as of December 31, 1987 and led to the issuance of this Order. On January 14, 1987 a card from the U.S. Postal Service indicated that a Mary Lane had accepted the service of the Order. The Town Attorney said he received correspondence from Peter W. Sluys, Esq. an attorney who indicated that he was representing Mr. Edmund Lane and said he is authorized by his client to begin proceedings to evict a tenant at the location, 116 Route 59, Central Nyack, N. Y. Mr. Sluys is here this evening.

Town Attorney called on Mr. Sullinger to continue this proceeding under oath as with the previous case.

Mr. Sullinger said his first exposure to this problem was on July 3, 1986. He said he was accompanying Mrs. Saccende, who had taken some photographs and had been initially involved with the investigation as a result of a complaint. Mr. Sullinger said the only change he can see in the property is that the number of cars keeps increasing. On December 4th I counted upwards of 65 cars. He said yesterday there were 70 cars there plus a school bus and a boat on a trailer.

The Town Attorney said that the Order that was issued from your office which I referred to before didn't indicate that many vehicles. Mr. Sullinger said in the initial violation, no.

The Town Attorney asked if the additional vehicles are in violation? Mr. Sullinger said they are in violation.

The Town Attorney asked what is the zoning designation of this property. Mr. Sullinger said he thinks it's CS. The Town Attorney asked if CS permits the storage of the numbers of vehicles that you are talking about? Mr. Sullinger said except in this case it is bordered by a residential zone which does not permit storage or repair being done on that property.

The Town Attorney asked if the address 116 Route 59, Central Nyack is also the tax map address of 120 A, 31.1? Mr. Sullinger said "yes".

The Town Attorney asked if Mr. Sullinger had any contact with Edmund Lane or any representative of Hegerty Homes? Mr. Sullinger said he had several conversations on the phone and in person with Mr. Lane. He has met on several occasions with myself and Mr. Colucci regarding the tenant and the possibility of acquiring a permit for him to operate a motor vehicle repair business which Mr. Colucci indicated would not be possible because it bordered on the residential zone. Mr. Lane indicated that he might go to the Zoning Board of Appeals but I never heard that he had. On one occasion, it was either the 18th or the 19th of August of last year, I met him by accident in a parking lot and he discussed the problem and said he was waiting for him to come in to rectify the problem or do something about removing the

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ABE740

violation. Mr. Lane said he intended to try to gain access by purchasing another piece of property and developing the property into something other than what it is today. He said he understood there was a violation and he was going to try to move his tenant off the property. Mr. Sullinger said he thought that this was an informal commitment to move his tenant out of there. On a subsequent phone call, he again indicated he was going to move the man off. Mr. Sullinger said obviously the man did not follow through on his commitment.

The Town Attorney asked if there is evidence that there is repair work being done on the vehicles. Mr. Sullinger said there is a repair shop in the rear of the property and that is being operated without a permit. That is under violation also; probably not relevant to this hearing but that is the condition that exists. Mr. Sullinger said he understands that the tenant obtains these vehicles, does some amount of work to get them road tested and enable to run and then holds them up for resale. He has repair and resale operations going on at the property right now.

Supervisor Holbrook asked if this operation moved from another part of Town to this site? Mr. Sullinger said that Mrs. Saccende had the same problem with the same two gentlemen from a location in Nanuet.

The Town Attorney asked if there was anyone living or in residence at this site. Mr. Sullinger said that he observed on two occasions living quarters. Mr. Sullinger said that the tenant indicated to him that it was his living quarters and by living there his property would be more secure against vandalism and theft.

The Town Attorney asked if there are motor fuels or any inflammable liquids present on the site? Mr. Sullinger said he has not seen any storage tanks per se. Whatever is indigenous to automobiles and to their repair and there is some gas and solvents.

The Town Attorney asked if the materials, the vehicles, and other items that are described constitute a present danger to the property itself, persons that live on that property, and persons who reside in the vicinity of the premises. Mr. Sullinger said "yes I do".

The Town Attorney asked if the photographs taken represent a fair and accurate depiction of the premises as they presently are. Mr. Sullinger said "yes."

The Town Attorney asked Mr. Sluys if he had anything to say.

Appearance: Peter Sluys, Attorney at Law
Pearl River

Mr. Peter Sluys said he is a former Deputy Town Attorney of the Town of Orangetown and he said he represents Hegerty Homes. Hegerty Homes is the owner of this parcel which is rented to a Fernando Martinez. In accordance with Mr. Lane, who is president of Hegerty Homes construction, I've commenced with an eviction proceeding in the Clarkstown Justice Court, returnable before one of the Justices of the Court this coming Tuesday the 17th. Mr. Lane has authorized me to state that upon the Judge issuing an order for eviction he will go with the sheriff and remove everything on the property. In other words, Mr. Lane does not want this condition to continue. He has authorized me to state that he will remove it. We have the eviction proceedings pending. Mr. Martinez has been served and I know that with my own personal knowledge and make that report to the Board. I do not ask the Board to stay its Order but I ask the Board to give

us a little more time in terms of the first week of March so in case the Justice at the Clarkstown Justice Court says to Martinez that he has an extension we won't be caught short because we can't come in there and clean off the property until we have the court's Order.

The Town Attorney said can you also inform the Board the nature of the tenancy that exists. Mr. Sluys said it is a month-to-month tenancy. There is no written agreement which authorizes us to come on to the property earlier to correct the violation of law. I have no authority now to go onto that property until I get a judge's order permitting my client to reclaim it and remove the tenant's property

The Town Attorney asked Mr. Sluys if his client was aware of the intended use of this property when it was leased on a month-to-month basis to the current occupant. Mr. Sluys said he did not know it. He was aware of it at the time that the tenancy commenced. I do know that in accordance with what the Building Inspector said there was earlier in the year some discussion about going before the Zoning Board of Appeals to change the use of the property but after I had consulted with Hegerty Homes and advised them in all likelihood the ZBA would not grant them the proposal then I was authorized to commence the eviction proceeding which we have done.

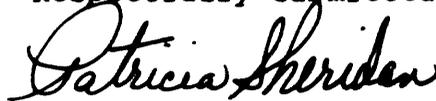
The Supervisor and the Board agreed to give Mr. Sluys until March 1st.

The Town Attorney asked if there was anyone else wishing to speak before they closed the hearing.

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:15 P.M.

Respectfully submitted



PATRICIA SHERIDAN,
Town Clerk

(Resolution No. 195-1987) Adopted

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

67

Town Hall

2/10/87

9:15 P.M.

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

RE: VIOLATION HEARING ON PREMISES MAP 5, BLOCK B, LOT 19
(LOUIS-CHARLES)

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

ABE740

The Town Attorney said this is also a Chapter 79 proceeding which was initiated by Resolution of the Town Board dated December 31, 1986 with respect to property known and designated on the Clarkstown tax map as Map 5, Block B, Lot 19, reputedly owned by one Ives, Louis-Charles and L. Edwards, Louis-Charles. Pursuant to the Town Boards's resolution, the Town Attorney was directed to prepare an Order and Notice pursuant to Chapter 79 which was prepared and dated December 31, 1986 and served upon the record owners, Ives, Louis-Charles and Edward Louis-Charles at 9 Birchwood Avenue, Spring Valley, New York. The Order of the Town Board directed the property owner to remove the nuisance hazard and litter from the property in accordance with the Notice dated December 30, 1986 of the Building Inspector directed to the individuals mentioned at 9 Birchwood Avenue, Spring Valley. The Town Attorney listed the debris which was the reason for the violation being served. The Town Attorney said his records indicate the certified mail was received, signed and returned by Ives, Charles who accepted service of the Notice on or about January 21, 1987. The Town Attorney said they also sent Notice to Edwards Louis-Charles at 1 Brockton Road, Spring Valley and this was returned to the Town Attorney's Office, and it was undeliverable.

Mr. Sullinger said he has a corrected address for Louis-Charles, 16 Lawrence Street, Spring Valley. Mr. Sullinger continued to testify under oath.

The Town Attorney asked if Mr. Charles has received Notice of this proceeding. Mr. Sullinger said he got a telephone call from Mr. Charles and they discussed the specific problem. At that time he gave him the new address.

The Town Attorney asked Mr. Sullinger to describe his knowledge of the site, his observations and his recommendations.

Mr. Sullinger said he first visited the area on the December 29, 1986. It was in regard to a complaint they received in their office. The building they saw was abandoned. It seemed to be a multi-building unit. He said he took photographs which were taken yesterday and show a fair and accurate depiction of the premises. The condition is unchanged from the day they first observed it. Mr. Charles said he thought that within ten days he could have this cleared up. Mr. Sullinger said that he would then make an inspection and if it was cleared up, the matter would be closed. Mr. Charles said he contacted an architect to make this into a one-family dwelling. The zoning in the area is residential.

The Town Attorney asked if there was anyone else wishing to be heard.

Appearance: Mrs. Rogeschafsky
Birchwood Ave.
Spring Valley

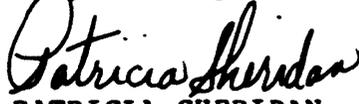
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Mrs. Rogeschafsky testified as to the present conditions of the building and her concern about the sanitary conditions there.

Mr. Sullinger recommended that the Town Board take whatever measures necessary to have the property cleaned if the owner does not do it within the ten days discussed.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:27 P.M.

Respectfully submitted


PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (196-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

69

Town Hall

2/10/87

9:28

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

RE: CHAPTER 79 PROCEEDING - SAVINO - MAP 27, BLOCK D, LOTS
5 AND 6

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. The Town Attorney said this is a Chapter 79 proceeding initiated by resolution of the Town Board dated December 31, 1986 with respect to property designated on the Clarkstown Tax Map as Map 57, Block D, Lots 5 and 6 reputedly owned by Leonard P. Savino. Pursuant to the Town Boards resolution an Order and Notice under Chapter 79 was prepared and sent by registered mail, return receipt to one Anthony A. Pavia and one Leonard P. Savino at 145 and 147 South Main Street, New City, New York. The Town Attorney read the list of debris accumulated on the property.

Mrs. Irene Saccende, Code Enforcement Officer of the Building Department was sworn in by the Town Attorney.

Mrs. Saccende described the property, her visits to the site, her observations and the actions taken with respect to the violations. She said that Dr. Pavia called the office and said that he had someone come in to bring the debris forward but it snowed and they could not get it out. Mrs. Saccende said that from the photographs she took today and the December photographs taken most of the big articles are still there.

The Town Attorney said that Mr. Savino accepted delivery of the registered mail on December 21st and J. Shannon accepted delivery of the registered mail addressed to Anthony Pavia on January 21, 1987.

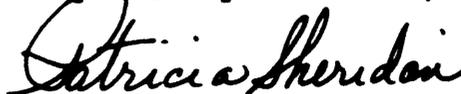
Mrs. Saccende recommended that the Town undertake to clean up this property.

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

No one appeared.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:33 P.M.

Respectfully submitted,


PATRICIA SHERIDAN
Town Clerk

Resolution No. (197-1987) ADOPTED

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

71

Town Hall

2/10/87

9:34 P.M.

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

RE: CHAPTER 79 PROCEEDING - MARTIN FELDI - MAP 141, BLOCK A,
LOT 14

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

Town Attorney John Costa testified as to proper posting and notification of owner. He said this is a Chapter 79 proceeding which was instituted by resolution dated December 31, 1986 against property designated on the Clarkstown Tax Map, as Map 141, Block A, Lot 14. Property reputedly owned by Martin Feldi, 48 Route 9W, Congers, New York. Pursuant to the Town Board's resolution an Order and Notice dated December 31 was prepared and served upon the property owner, Martin Feldi, at 48 Route 9W, New York. The property referred to by the Building Inspector is Mid-Town Auto, also known as Duchess Auto Service, 48 Route 9W, Congers, New York. The Town Attorney read the list of debris on the premises. The Order requested that the violation be removed within ten days from the date of the Order and the Town Board's Order was served on January 12, 1987.

The Town Attorney asked Mrs. Saccende to continue to testify under oath with respect to these premises.

Mrs. Saccende said she spoke to the defendant's son in December and he said that they were contacting Mr. Teflitz to remove the cars. Mr. Feldi said they had receipts of cars that were taken out by both Mr. Teflitz and Mr. Kehon. According to the photographs taken on December 30, 1986 and the present time, there are still cars there. Mrs. Saccende said that last week Mr. Feldi indicated to her that he was going to ask the tenant to leave the property. The property is designated as a regional shopping area and would not permit the type of vehicles shown on the property.

The Town Attorney asked if Mrs. Saccende had any recommendations to make to the Town Board.

Mrs. Saccende said she would recommend that the property be cleaned up by the Town if the landlord and the tenant are unable to facilitate this.

The Town Attorney asked if there was anyone wishing to ask any questions of Mrs. Saccende or appear on behalf of the property owner?

Appearance: Tom Lyden, Esq.
Spring Valley

He said he was the lawyer representing Mr. Feldi when he bought this property and he bought it from a corporate entity that was named in this particular petition and is no longer involved in this property. The corporate entity agreed to remove the debris when they sold it and they never did. Mr. Feldi took photographs before because he expected to end up in a lawsuit with this corporation. He said the tenant suffers from the disease of alcohol and that is probably why the place is in the condition it's in. Mr. Lyden asked for additional time to get the tenant out. The Supervisor said they would give him until March 1st.

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ABE740

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:45 P.M.

Respectfully submitted

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (198-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

73

Town Hall

2/10/87

9:45 P.M.

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

RE: LOCAL LAW NO. 4-1987 - MUNICIPAL PARKING

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.

The Town attorney stated that this local law has two purposes. One of which is to permit the Town Board by resolution to designate a municipal parking lot and if it chooses to do so with respect to the Town Hall parking lot it would then bring the regulation of that parking lot under the operation of the Police Department with its ability to issue summonses for improper parking as well as to tow offending vehicles from the premises at the owner's expense. The second part of this local law is an amendment to the existing local law which deals with the establishment of commuter parking lots. It is adding to that local law the ability to issue a traffic summons to any vehicle that parks in an area other than a designated parking area in the commuter parking lot. In the past, parking outside of a designated area but with a permit would impede the traffic flow in these areas but they could not be summonsed and would require towing and this adds an additional option to the enforcement agents.

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

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, RESOLUTION ADOPTED, time: 9:55 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (199-1987) ADOPTED

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

71

Town Hall

2/10/87

9:34 P.M.

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

RE: CHAPTER 79 PROCEEDING - MARTIN FELDI - MAP 141, BLOCK A,
LOT 14

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

Town Attorney John Costa testified as to proper posting and notification of owner. He said this is a Chapter 79 proceeding which was instituted by resolution dated December 31, 1986 against property designated on the Clarkstown Tax Map, as Map 141, Block A, Lot 14. Property reputedly owned by Martin Feldi, 48 Route 9W, Congers, New York. Pursuant to the Town Boards resolution an Order and Notice dated December 31 was prepared and served upon the property owner, Martin Feldi, at 48 Route 9W, New York. The property referred to by the Building Inspector is Mid-Town Auto, also known as Duchess Auto Service, 48 Route 9W, Congers, New York. The Town Attorney read the list of debris on the premises. The Order requested that the violation be removed within ten days from the date of the Order and the Town Board's Order was served on January 12, 1987.

The Town Attorney asked Mrs. Saccende to continue to testify under oath with respect to these premises.

Mrs. Saccende said she spoke to the defendant's son in December and he said that they were contacting Mr. Teflitz to remove the cars. Mr. Feldi said they had receipts of cars that were taken out by both Mr. Teflitz and Mr. Kehon. According to the photographs taken on December 30, 1986 and the present time, there are still cars there. Mrs. Saccende said that last week Mr. Feldi indicated to her that he was going to ask the tenant to leave the property. The property is designated as a regional shopping area and would not permit the type of vehicles shown on the property.

The Town Attorney asked if Mrs. Saccende had any recommendations to make to the Town Board.

Mrs. Saccende said she would recommend that the property be cleaned up by the Town if the landlord and the tenant are unable to facilitate this.

The Town Attorney asked if there was anyone wishing to ask any questions of Mrs. Saccende or appear on behalf of the property owner?

Appearance: Tom Lyden, Esq.
Spring Valley

He said he was the lawyer representing Mr. Feldi when he bought this property and he bought it from a corporate entity that was named in this particular petition and is no longer involved in this property. The corporate entity agreed to remove the debris when they sold it and they never did. Mr. Feldi took photographs before because he expected to end up in a lawsuit with this corporation. He said the tenant suffers from the disease of alcohol and that is probably why the place is in the condition it's in. Mr. Lyden asked for additional time to get the tenant out. The Supervisor said they would give him until March 1st.

Continued on Next Page

ABE740

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:45 P.M.

Respectfully submitted

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (198-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

73

Town Hall

2/10/87

9:45 P.M.

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

RE: LOCAL LAW NO. 4-1987 - MUNICIPAL PARKING

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.

ABE740

The Town attorney stated that this local law has two purposes. One of which is to permit the Town Board by resolution to designate a municipal parking lot and if it chooses to do so with respect to the Town Hall parking lot it would then bring the regulation of that parking lot under the operation of the Police Department with its ability to issue summonses for improper parking as well as to tow offending vehicles from the premises at the owner's expense. The second part of this local law is an amendment to the existing local law which deals with the establishment of commuter parking lots. It is adding to that local law the ability to issue a traffic summons to any vehicle that parks in an area other than a designated parking area in the commuter parking lot. In the past, parking outside of a designated area but with a permit would impede the traffic flow in these areas but they could not be summonsed and would require towing and this adds an additional option to the enforcement agents.

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

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, RESOLUTION ADOPTED, time: 9:55 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (199-1987) ADOPTED