

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 3/24/87 8:00 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor declared the Public Portion open. No one spoke.

RESOLUTION NO. (298-1987) ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETING
OF FEBRUARY 24, 1987 AND
SPECIAL TOWN BOARD MEETING
OF MARCH 5, 1987

Co. Smith offered the following resolution:

RESOLVED, that the minutes of the regular Town Board Meeting of February 24, 1987 and the Special Town Board Meeting of March 5, 1987 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (299-1987) AMENDING OFFICIAL MAP OF
TOWN OF CLARKSTOWN CLOSING
ACCESS TO SHOPPING CENTER
AT TERMINUS OF EAST ORCHARD
STREET AND GRACE STREET,
NANUET AND DIRECTING
SUPERINTENDENT OF HIGHWAYS
TO ERECT BARRIERS

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 25th day of November, 1986, provided for a public hearing on the 13th day of January, 1987 at 8:30 P.M., or as soon thereafter as possible, to consider an amendment to the Official Map of the Town of Clarkstown to eliminate through traffic at the terminus of East Orchard Street and Grace Street, Nanuet, where said streets abut an existing shopping center by placing a barrier at the end of each street as depicted on the attached sketch (Schedule "A"), and

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

WHEREAS, by Resolution No. 171-1987 dated February 10, 1987, the Town's Planning Consultant, RPPW Inc., was authorized and directed to prepare a traffic study to fulfill the requirements of the State Environmental Quality Review Act (SEQRA) with respect to said proposal, and

WHEREAS, by report dated March 10, 1987, RPPW Inc., has determined that the closing of East Orchard Street and Grace Street

ABE740

RESOLUTION NO. (299-1987) Continued

will result in the relocation of traffic to Church Street between College Avenue and Smith Street, Nanuet, and to the intersection of Smith Street and Route 59, and

WHEREAS, after due consideration of the interests of the public at large expressed at the hearing held as aforesaid and upon consideration of the report entitled, "Traffic Analysis Grace and East Orchard Streets, Nanuet, New York" dated March 10, 1987, prepared by RPPW Inc., the Town Board of the Town of Clarkstown hereby determines that it is in the best interest of the community to amend the official map and to erect barriers at the terminus of East Orchard Street and Grace Street;

NOW, THEREFORE, be it

RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended to eliminate through traffic at the terminus of East Orchard Street and Grace Street, where said streets abut the shopping center, by placing a barrier at the end of each street as depicted on the attached sketch (Schedule "A"), and be it

FURTHER RESOLVED, that based upon the report referred to above, the Town Board hereby determines that the provisions of SEQRA have been complied with and that the impact of the action provided for herein has been duly considered and that no further processing pursuant to SEQRA is required, and be it

FURTHER RESOLVED, that the closing of East Orchard Street and Grace Street, Nanuet, is hereby deferred until June 30, 1987, so as to permit sufficient time for the affected property owners and tenants to make alternate arrangements for the distribution of traffic, and be it

FURTHER RESOLVED, that the Superintendent of Highways is hereby authorized and directed to erect the barriers referred to herein on or after July 1, 1987, and be it

FURTHER RESOLVED, that the Town Attorney is authorized to prepare notice of amendment to the official map and cause the same to be published in the official newspaper in the Town of Clarkstown in the manner provided by law, with respect to the elimination of through traffic at the terminus of East Orchard Street and Grace Street, Nanuet, New York.

(Schedule "A" 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. (300-1987)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING AT RIDGE ROAD,
VALLEY COTTAGE

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown is entitled to receive an annual upgrade/replacement of 2% of the total amount of its

TBM - 3/24/87
Page 3

RESOLUTION NO. (300-1987) Continued

existing street lighting from Orange and Rockland Utilities, Inc., at no charge to the Town, and

WHEREAS, Supervisor Charles E. Holbrook has requested the upgrading of existing street lighting on Ridge Road, Valley Cottage,

NOW, THEREFORE, be it

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

Ridge Road Valley Cottage

(Remove thirty (30) 4000 lumen mercury vapor street lights, begin at Ridge Road at Highway Avenue south to Lake Road, Valley Cottage - Install thirty (30) 5800 lumen sodium vapor street lights) PROPOSAL A

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. (301-1987)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC, FOR STREET
LIGHTING AT CHESTNUT PARK,
NEW CITY

Co. Lettre offered the following resolution:

RESOLVED, based upon the recommendation of Kurian L. Kalarickal, Deputy Director, Dept. of Environmental Control, the following street lighting be installed to improve traffic and pedestrian safety, and be it

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

Chestnut Park New City

Install: (2) - 5800 lumen sodium vapor street lights on (2) laminated wood poles.
Increase to the Town \$230.16 plus E.F.C.
Annual Charges: (\$115.08 per unit x 2 units = \$230.16).

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

ABE740

RESOLUTION NO. (302-1987)

SETTING PUBLIC HEARING ON
PROPOSED LOCAL LAW -
AMENDING CHAPTER 91 (PERMIT
FEES)

Co. Lettre offered the following resolution:

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

"A LOCAL LAW AMENDING CHAPTER 91 (PERMIT FEES)
OF THE TOWN CODE 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 that said local law be adopted;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 28th day of April, 1987, at 8:30 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. 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. (303-1987)

CANCELLING LIS PENDENS (303
ERIE STREET)

Co. Lettre offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice dated January 27, 1987, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 106, BLOCK A, LOT 26.04 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 \$215.00 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

TBM - 3/24/87
Page 5

RESOLUTION NO. (303-1987) 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. (304-1987)

AUTHORIZING ATTENDANCE AT
WESTCHESTER MUNICIPAL
PLANNING FEDERATION SEMINAR
(JAMES HERSHBERGER) -
CHARGE TO ACCOUNT NO.
8020-404

Co. Maloney offered the following resolution:

RESOLVED, that James Hershberger, Member of the Planning Board is hereby authorized to attend the Westchester Municipal Planning Federation Seminars in White Plains, New York at Pace University on March 24 and March 31, 1987, at a cost of \$10.00 registration fee, plus travel and other necessary expenses, and

FURTHER RESOLVED, that the expenses for the above shall be charged to account No. 8020-404.

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. (305-1987)

ACCEPTING INSTALLATION OF
SCORE BOARD ON PREMISES
LICENSED BY VALLEY COTTAGE
LITTLE LEAGUE

Co. Lettre offered the following resolution:

WHEREAS, the Valley Cottage Little League is licensed to use a portion of the premises adjacent to a discontinued sewer plant in the vicinity of Route 9W and Lake Road, Valley Cottage, as a ball field, and

WHEREAS, a corporate sponsor has offered to install an electrified score board for the use by the Little League;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the installation of the score board provided an agreement in a form acceptable to the Town Attorney is entered into and all the requirements of the Building Department, Town insurance carrier and the Department of Environmental Control are complied with.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

ABE740

RESOLUTION NO. (305-1987) Continued

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

RESOLUTION NO. (306-1987)

AUTHORIZING SUPERVISOR TO
FILE RECREATION PROGRAM FOR
ELDERLY APPLICATION WITH
NEW YORK STATE OFFICE FOR
THE AGING

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, the Supervisor is hereby authorized to file a Recreation Program for the Elderly Application with the New York State Office for the Aging for the period commencing April 1, 1987 to March 31, 1988, and be it

FURTHER RESOLVED, that the total aid for this period will be \$2,575.50.

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. (307-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #17-1987
(GERMONDS PARK IMPROVEMENT
PROJECT)

Co. Carey offered the following resolution:

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

BID #17-1987
GERMONDS PARK IMPROVEMENT PROJECT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Wednesday, April 22, 1987 at which time bidd will be opened and read, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

TBM - 3/24/87
Page 7

RESOLLTION NO. (308-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #37-1987
(REPAIRS TO MICHIGAN LOADER)

Co. Carey offered the following resolution:

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

BID #37-1987
REPAIRS TO MICHIGAN LOADER

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 Tuesday, April
7, 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. 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. (309-1987)

AMENDING RESOLUTION NO.
248-1987 AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BIDS FOR BID
#33-1987 (OFFICE FURNITURE)

Co. Carey offered the following resolution:

RESOLVED, that Town Board resolution No. 248-1987 is
hereby amended to read:

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

BID #33-1987
OFFICE FURNITURE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, April
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. Maloney

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. (310-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID NO. 39-1987
(FOOD PRODUCTS FOR TOWN
REFRESHMENT STANDS)

Co. Carey offered the following resolution:

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

BID #39-1987
FOOD PRODUCTS FOR TOWN REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:30 A.M. on Monday, April
27, 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. 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. (311-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #44-1987
(TRUCKS FOR PARKS &
RECREATION DEPARTMENT)

Co. Carey offered the following resolution:

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

BID #44-1987
TRUCKS FOR PARKS & RECREATION DEPARTMENT

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, April
17, 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. Maloney

On roll call the vote was as follows:

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

TBM - 3/24/87
Page 9

RESOLUTION NO. (312-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #40-1987 (SOFT
DRINKS FOR TOWN REFRESHMENT
STANDS)

Co. Carey offered the following resolution:

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

BID #40-1987
SOFT DRINKS FOR TOWN REFRESHMENT STANDS

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, April
27, 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. 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. (313-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #41-1987 (ICE
CREAM FOR TOWN REFRESHMENT
STANDS)

Co. Carey offered the following resolution:

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

BID #41-1987
ICE CREAM FOR TOWN REFRESHMENT STANDS

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, April
27, 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. Maloney

On roll call the vote was as follows:

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

ABE740

TBM - 3/24/87
Page 10

RESOLUTION NO. (314-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #42-1987 (BUS
TRANSPORTATION)

Co. Carey offered the following resolution:

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

BID #42-1987
BUS TRANSPORTATION

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, May 1,
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. 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. (315-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #43-1987
(REFUSE PICK-UP)

Co. Carey offered the following resolution:

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

BID #43-1987
REFUSE PICK-UP

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, April
24, 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. 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. (316-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR

TBM - 3/24/87
Page 11

RESOLUTION NO. (316-1987) Continued

BIDS FOR BID # 45-1987
(COMPUTER
EQUIPMENT/SOFTWARE)

Co. Carey offered the following resolution:

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

BID #45-1987
COMPUTER EQUIPMENT/SOFTWARE

bids to be returnable to the Office of the Clarkstown Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 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. Maloney

On roll call the vote was as follows:

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

At this point Councilman Lettre asked Edward Ghiazza, Superintendent of Parks, with respect to Resolution No. (307-1987), when work would commence on that. Mr. Ghiazza said probably in May. Councilman Lettre asked him if he would contact the president of the West Nyack Little League as concern had been raised that the work might interfere with the league and the games scheduled to be played there. Mr. Ghiazza said he had already spoken with those concerned and there would be no problem in keeping them in operation while the work was going on.

RESOLUTION NO. (317-1987)

AWARDING BID FOR BID
#24-1987 - HIGHWAY SIGNING
& ROAD MAINTENANCE SUPPLIES
(CAPITOL HIGHWAY MATERIALS,
INC., BRIGHTON STEEL CO.,
INC., HIGHWAY TRAFFIC
SUPPLY, INC., CHEMUNG
SUPPLY CORP., SIGNS OF
SAFETY, 3M COMPANY)

Co. Maloney offered the following resolution:

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

BID #24-1987
HIGHWAY SIGNING & ROAD MAINTENANCE SUPPLIES

is hereby awarded to:

CAPITOL HIGHWAY MATERIALS, INC.
Route 6
Baldwin Place, NY 10505

BRIGHTON STEEL CO., INC.
RD 2 Box 267
Hopewell Junction, NY 12533

Continued on Next Page

ABE740

TBM - 3/24/87
Page 12

RESOLUTION NO. (317-1987) Continued

CHEMUNG SUPPLY CORP.
P.O. Box 527
Elmira, NY 14902

SIGNS OF SAFETY
432-40 South River Street
Hackensack, NJ 07601

3M Company
3M Center
Building 223-3N
St. Paul, MN 55144-1000

HIGHWAY TRAFFIC SUPPLY INC.
45 Cragmere Road
Suffern, NY 10901

as per the attached item/price schedule.

(Schedule 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. (318-1987)

AWARDING BIDS FOR BID
#20-1987 - FIRST AID
SUPPLIES (TRANS AMERICAN
SPINNING MILLS, INC., EVER
READY FIRST AID & MEDICAL
SUPPLY CORP., PATCHOGUE
SURGICAL SUPPLY CO. AND
MICRO BIO-MEDICS, INC.

Co. Maloney offered the following resolution:

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

BID #20-1987
FIRST AID SUPPLIES

is hereby awarded to:

Trans American Spinning Mills, Inc.
1 Coffin Avenue
New Bedford, MA 02746

Ever Ready First Aid &
Medical Supply Corp.
5 E. 17th Street
New York, NY 10003

Patchogue Surgical Supply Co.
140 East Main Street
Patchogue, NY 11772

Micro Bio-Medics, Inc.
717 South Third Avenue
Mt. Vernon, NY 10550

as per the attached schedule of items and prices.

(Schedule of prices 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

TBM - 3/24/87
Page 13

RESOLUTION NO. (319-1987)

AWARDING BID FOR BID
#28-1987 - TWO (2) FOUR
WHEEL DRIVE TRUCKS WITH
SNOW PLOWS AND SALT
SPREADERS (JOHN J. KING OF
MONROE, INC.

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Highways and the Director of Purchasing that

BID #28-1987
TWO (2) FOUR WHEEL DRIVE TRUCKS WITH
SNOW PLOWS AND SALT SPREADERS

is hereby awarded to:

JOHN J. KING OF MONROE, INC.
Route 17M
P.O. Box 235
Monroe, N.Y. 10950

per their bid proposal of two FWD Trucks with Frink Plow and
spreader as per specifications at \$76,790.00 each.

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. (320-1987)

AWARDING BID FOR BID
#25-1987 - THREE (3) 1987
FORD F150 PICK-UP TRUCKS
(PLEASANTVILLE FORD, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of Purchasing and the Superintendent of Highways that

BID #25-1987
THREE (3) 1987 FORD F150 PICK-UP TRUCKS

is hereby awarded to

PLEASANTVILLE FORD, INC.
47 Pleasantville Road
Pleasantville, NY 10570

as per their low bid proposal of \$10,000.00 for 1987 Ford F150
Styleside Pickup Trucks per 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

ABE740

RESOLUTION NO. (321-1987)

AWARDING BID FOR BID
#26-1987 - FIREWORKS
DISPLAY (ZAMBELLI FIREWORKS
MFG. CO., INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Recreation and Parks and the Director of Purchasing

BID #26-1987
FIREWORKS DISPLAY

is hereby awarded to:

ZAMBELLI FIREWORKS MFG. CO., INC.
20 South Mercer Street
New Castle, PA 16103

as per their low bid proposal of \$4,750.00, and be it

FURTHER RESOLVED, that said award is subject to receipt
of:

a) Certificate of Insurance and Save Harmless Clause
as per bid specifications, and

b) Performance Bond as per 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. (322-1987)

AWARDING BID FOR BID
#27-1987 - FIVE (5) 1987
FORD L8000 DUMP TRUCKS
EQUIPPED WITH SNOW PLOW &
SALT SPREADER (NARROWSBURG
MOTOR SALES, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Highways and the Director of Purchasing

BID #27-1987
FOR FIVE (5) 1987 FORD L 8000 DUMP TRUCKS
EQUIPPED WITH SNOW PLOW & SALT SPREADER

is hereby awarded to:

NARROWSBURG MOTOR SALES, INC.
Bridge Street
Narrowsburg, NY 12764

as per their low bid proposal of \$52,494.00 each vehicle as per bid
specifications.

Seconded by Co. Smith

TBM - 3/24/87
Page 15

RESOLUTION NO. (322-1987) 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. (323-1987)

AWARDING BID FOR BID
#31-1987 - SALE OF SURPLUS
VEHICLES (LIBERTY MOTORS,
MRS. SCHWARTZ, BROOKFIELD
AUTO WRECKERS)

Co. Maloney offered the following resolution:

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

BID #31-1987
SALE OF SURPLUS VEHICLES

is hereby awarded to

LIBERTY MOTORS
1705 Kennedy Blvd.
Jersey City, NJ 07305

MRS. SCHWARTZ
58 Campbell Ave.
Suffern, NY 10901

BROOKFIELD AUTO WRECKERS
275 Lamont St.
Elmsford, NY 10523

as per the 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:

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

RESOLUTION NO. (324-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(586 BREWERY ROAD, INC. V.
PLANNING BOARD OF TOWN OF
CLARKSTOWN)

Co. Maloney offered the following resolution:

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

In the Matter of the Application of

Continued on Next Page

ABE740

TBM - 3/24/87
Page 16

RESOLUTION NO. (324-1987) Continued

586 BREWERY ROAD, INC.,
Petitioner,

for a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

-against-

RUDOLPH J. YACYSHYN, Chairman, WILLIAM NEST,
RICHARD PARIS, JOSEPH CENTRA, JOSEPH MARAIA,
JAMES HERSHBERGER and HAROLD SCHWEITZER, con-
stituting the Planning Board of the TOWN OF
CLARKSTOWN,
Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

Councilman Lettre said with regard to this particular
issue he would find it inconsistent with his previous vote of not
wanting the through streets to take place in the subdivision. He
said he did not know what the legal determination from the Town
Attorney is as far as whether the Town Board must legally provide
defense counsel to the Town Planning Board. He said as far as his
position goes it is consistent, and has not changed and he still
feels strongly that the roads should not be through streets in the
new proposed subdivision and as far as this resolutin goes he must
abstain on it.

Appearance: Mr. Thomas Parliament, Present
Southeast Clarkstown Homeowners Association

Mr. Parliament said he was speaking with regard to Item
No. 11 and his group wishes to present the view that the proposed
through road linking Westerly Road, Trotters Trail and Pepperidge
Drive be disallowed. It appears that the local residents, the
developer and the Town Board oppose this proposed local through
road. It seems to be a frivolous expense of Town money to defend a
suit which the Town Board itself is opposed to.

Supervisor Holbrook said in defense of the Town Board,
regardless of how the members feel individually, the Planning Board
is entitled to defense. Each member spoke before on his or her
individual view and he did not think that has changed. It is up to
the Court to determine at this particular point.

RESOLUTION NO. (325-1987)

ASSESSING COST FOR CHAPTER
79 PROCEEDING - MAP 138,
BLOCK H, LOT 18 (J.
STERNGASS)

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (325-1987) Continued

WHEREAS, the condition complained of in the Order and Notice dated September 9, 1986, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 138, BLOCK H, LOT 18 which was the subject of a Chapter 79 (Property Maintenance) proceeding has been corrected by the record property owner, and

WHEREAS, by resolution of the Town Board adopted October 14, 1986, the property owner was required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

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

NOW, THEREFORE, be it

RESOLVED, that the Assessor and the Receiver of Taxes are hereby directed to levy the sum of \$190.00 against MAP 138, BLOCK H, LOT 18.

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. (326-1987)

ASSESSING COST FOR CLEANUP
- CHAPTER 31 - MAP 127,
BLOCK C, LOT 17.01 (CONLON)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice dated November 25, 1986, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 127, BLOCK C, LOT 17.01 which was the subject of a Chapter 31 (Unsafe Buildings) proceeding has been corrected by the record property owner(s), and

WHEREAS, by resolution of the Town Board adopted February 10, 1987, the property owner(s) were required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

WHEREAS, the property owner(s) have been notified and have failed to pay the amount due;

NOW, THEREFORE, be it

RESOLVED, that the Assessor and Receiver of Taxes are hereby authorized and directed to levy the sum of \$142.00 against MAP 127, BLOCK C, LOT 17.01.

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

ABE740

RESOLUTION NO. (327-1987)

ASSESSING COST FOR CHAPTER
79 PROCEEDING - MAP 162,
BLOCK A, LOT 2 (BETZ)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice dated June 10, 1986, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 162, BLOCK A, LOT 2, which was the subject of a Chapter 79 (Property Maintenance) proceeding has been corrected by the record property owners, and

WHEREAS, by resolution of the Town Board adopted February 10, 1987, the property owners were required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

WHEREAS, the property owners have been notified and have failed to pay the amount due;

NOW, THEREFORE, be it

RESOLVED, that the Assessor and Receiver of Taxes are hereby authorized and directed to levy the sum of \$218.00 against MAP 162, BLOCK A, LOT 2.

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. (328-1987)

ASSESSING COST FOR CLEANUP
- CHAPTER 79 - MAP 120,
BLOCK H, LOT 11 (DEUTSCH)

Co. Carey offered the following resolution:

WHEREAS, a proceeding pursuant to Chapter 79 (Property Maintenance) of the Town Code was duly instituted against premises known and designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 11, and

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

WHEREAS, the total costs for the proceeding and corrective measures was the sum of \$968.80. and

WHEREAS, the record property owners have been notified and have failed to pay the amount due;

NOW, THEREFORE, be it

RESOLVED, that the Assessor and Receiver of Taxes are hereby authorized and directed to levy the sum of \$968.80 against MAP 120, BLOCK H, LOT 11 in accordance with law.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (328-1987) Continued

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

RESOLUTION NO. (329-1987)

ASSESSING COST FOR CLEANUP
 - CHAPTER 31 - MAP 14,
 BLOCK C, LOT 20 (ANGONA)

Co. Carey offered the following resolution:

WHEREAS, a proceeding pursuant to Chapter 31 (Unsafe Buildings) of the Town Code was duly instituted against premises known and described on the Tax Map of the Town of Clarkstown as MAP 14, BLOCK C, LOT 20, and

WHEREAS, by Order of the Town Board, the Building Inspector of the Town of Clarkstown was authorized and directed to take certain corrective measures regarding said premises, and

WHEREAS, the total cost for the proceeding and corrective measures was the sum of \$30,673.37, and

WHEREAS, the record property owners have been notified and have failed to pay the amount due;

NOW, THEREFORE, be it

RESOLVED, that the Assessor and the Receiver of Taxes are hereby authorized and directed to levy the sum of \$30,673.37 against MAP 14, BLOCK C, LOT 20.

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

Town Attorney John Costa said with regard to this resolution it would be helpful if it would be noted that there is a tax sale scheduled on this property in the coming week or ten days and this assessment, which is a levy of \$30,000.00, will not yet be of record against that property. We have notified the County Treasurer about this so they will notify any would-be bidders on that property that they are picking up a \$30,000.00 bill come January.

RESOLUTION NO. (330-1987)

ASSESSING COST FOR CHAPTER
 79 PROCEEDING - MAP 120,
 BLOCK H, LOT 7 (CRAYTON)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice dated September 9, 1986, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 120, BLOCK H, LOT 7 which was the subject of a Chapter 79 (Property Maintenance) proceeding has been corrected, and

ABE740

RESOLUTION NO. (330-1987) Continued

WHEREAS, by resolution of the Town Board adopted September 23, 1986, the record property owner was required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

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

NOW, THEREFORE, be it

RESOLVED, that the Assessor and Receiver of Taxes are hereby authorized and directed to levy the sum of \$329.21 against MAP 120, BLOCK H, LOT 7.

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. (331-1987)

DECREASING CONTINGENCY
ACCOUNT NO. A 1990-505 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 6510-409
(FLAG DAY PARADE - FEES FOR
SERVICES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 6510-409 (Flag Day Parade - Fees for Services) by \$1,000.00.

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. (332-1987)

DECREASING APPROPRIATION
ACCOUNT NO. DA 5142-111
(HIGHWAY (SNOW) OVERTIME)
AND INCREASING DA 5142-443
(PRIVATE EQUIPMENT RENTAL)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. DA 5142-111 (Highway (Snow) Overtime) and increase DA 5142-443 (Private Equipment Rental) by \$6,135.00.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (332-1987) Continued

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

RESOLUTION NO. (333-1987)

RESCINDING RESOLUTION NO.
222-1987 (OHIO STEEL)

Co. Maloney offered the following resolution:

WHEREAS, Resolution No. 222 was adopted at the Town Board meeting of February 24, 1987, authorizing the Assessor and Receiver of Taxes to levy expenses incurred for the cost of a Chapter 31 proceeding against MAP 43, BLOCK E, LOT 6.88, and

WHEREAS, the expenses incurred have been paid;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 222 is hereby rescinded.

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. (334-1987)

RESCINDING RESOLUTION NO.
220-1987 (LOSIER)

Co. Maloney offered the following resolution:

WHEREAS, Resolution No. 220 was adopted at the Town Board meeting of February 24, 1987, authorizing the Assessor and Receiver of Taxes to levy expenses incurred for the cost of a Chapter 79 proceeding against MAP 165, BLOCK A, LOT 2, and

WHEREAS, the expenses incurred have been paid;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 220 is hereby rescinded.

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. (335-1987)

AUTHORIZING ATTENDANCE AT
NYSTC ANNUAL CONFERENCE -
CHARGE TO APPROPRIATION
ACCOUNT NO. A 1010-414

ABE740

RESOLUTION NO. (335-1987) Continued

Co. Smith offered the following resolution:

RESOLVED, that Patricia Sheridan, Town Clerk, is hereby authorized to attend NYSTC ANNUAL CONFERENCE 1987 to be held at Americana Inn from April 26-28, and all proper charges and registration fees be charged to Appropriation Account No. A 1010-414.

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. (336-1987)

GRANTING PERMISSION FOR USE OF THE TOWN OF CLARKSTOWN SHOWMOBILE (UNITED JEWISH COMMUNITY OF ROCKLAND COUNTY)

Co. Maloney offered the following resolution:

WHEREAS, the United Jewish Community of Rockland County has requested use of the Town of Clarkstown showmobile on Sunday, October 25, 1987, for the Annual Walk-a-thon at Rockland Lake State Park,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the United Jewish Community of Rockland County to use the Town of Clarkstown showmobile on Sunday, October 25, 1987, for the above purposes and subject to the provision of the necessary insurance policies.

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. (337-1987)

GRANTING PERMISSION TO DISPENSE ALCOHOLIC BEVERAGES TO CLARKSTOWN PARKS BOARD AND RECREATION COMMISSION (ANNUAL SENIOR CITIZEN SHOW CAST PARTY AND ANNUAL SENIOR CITIZEN PICNIC)

Co. Maloney offered the following resolution:

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

RESOLUTION NO. (337-1987) Continued

NOW, THEREFORE, be it

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

- 1. Annual Senior Citizen Show Cast Party
Saturday, April 25, 1987

Congers Community Center
Gilchrest Road
Congers, New York
- 2. Annual Senior Citizen Picnic
Thursday, June 2, 1987 (Raindate June 3rd)

Congers Community Center
Gilchrest Road
Congers, New York

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. (338-1987)

ACCEPTING DECLARATION
SECTIONS E-1 AND E-2
(KINGSGATE CONDOMINIUMS)

Co. Maloney offered the following resolution:

WHEREAS, a Declaration dated March 12, 1987, has been furnished by TIMBERLINE ASSOCIATES, L.P. which provides that the Declarant shall have the obligation to reimburse the Town for water charges imposed by Spring Valley Water Company, plus 10% handling charges, attributable to the fire hydrants which are installed on said premises (LOTS E-1 and E-2 Kingsgate Condominiums), and

WHEREAS, the Town Attorney recommends said Declaration be recorded;

NOW, THEREFORE, be it

RESOLVED, that the aforesaid Declaration is hereby accepted and ordered recorded in the Rockland County Clerk's Office, retroactive to March 18, 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

ABE740

RESOLUTION NO. (339-1987)

ACCEPTING DECLARATION
SECTION "D" (KINGSGATE
CONDOMINIUMS)

Co. Maloney offered the following resolution:

WHEREAS, a Declaration dated March 6, 1987, has been furnished by KNOLLS EAST LIMITED PARTNERSHIP which provides that the Declarant shall have the obligation to reimburse the Town for water charges imposed by Spring Valley Water Company, plus 10% handling charges, attributable to the fire hydrants which are installed on said premises (LOT "D" Kingsgate Condominiums), and

WHEREAS, the Town Attorney recommends said Declaration be recorded;

NOW, THEREFORE, be it

RESOLVED, that the aforesaid Declaration is hereby accepted and ordered recorded in the Rockland County Clerk's Office, retroactive to March 18, 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. (340-1987)

REDUCING AMOUNT OF
PERFORMANCE SECURITY
(WATERMILL ESTATES, SECTION
II)

Co. Maloney offered the following resolution:

RESOLVED, that the security required for the Performance Agreement authorized in resolution adopted at the Town Board meeting of October 28, 1986, with respect to the dedication of the roads and improvements in Watermill Estates, Sec. II, is hereby amended and the amount reduced from \$20,000 to \$15,000 as some of the work has been completed.

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. (341-1987)

AUTHORIZING EXPENDITURE FOR
SUPPLIES FOR BOCES TO
CONSTRUCT LITTER
RECEPTACLES - CHARGE TO
APPROPRIATION ACCOUNT NO. A
8811-383 (CONCRETE, LUMBER)

Co. Maloney offered the following resolution:

Continued on Next Page

TBM - 3/24/87
Page 25

RESOLUTION NO. (341-1987) Continued

As per a request for litter receptacles from the New City Chamber of Commerce, the Town Board hereby authorizes the expenditure of \$891.90 for supplies for B.O.C.E.S. to construct such receptacles, and be it

FURTHER RESOLVED, to charge the above sum to Appropriation Account A 8 11-383 (Concrete, Lumber).

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. (342-1987)

DIRECTING SUPERINTENDENT OF HIGHWAYS TO INSTALL VARIOUS TRAFFIC SIGNS ON STORMS ROAD, VALLEY COTTAGE AND SUPPORTING HOWARD L. LAMPERT'S RECOMMENDATION FOR INSTALLATION OF SOUTHBOUND LEFT TURN LANE ON ROUTE 303 FOR STORAGE LANE FRONT OF VILLAGE SQUARE SHOPPING CENTER

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated March 15, 1987, has recommended various traffic signs be installed on Storms Road, Valley Cottage,

NOW, THEREFORE, be it

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

Storms Road (From Route 303 to Kings Highway), Valley Cottage

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
EB 800 Ft. W/O Kings Hwy.	Reverse Turn 10 MPH	W1-6C W9-1X
WB W/O Route 303	Reverse Turn 10 MPH	W1-6C W9-1X
SB 200 Ft. W/O Route 303	Single Left Arrow	W1-11C

and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown acknowledges the letter dated March 15, 1987 to the New York State Department of Transportation submitted by Howard L. Lampert, and is in accord with his recommendation and request for the installation of a southbound left turn lane on Route 303 to provide a storage lane in front of the Village Square Shopping Center.

Seconded by Co. Lettre

ABE740

RESOLUTION NO. (342-1987) 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. (343-1987)

DIRECTING SUPERINTENDENT
 OF HIGHWAYS TO INSTALL
 VARIOUS TRAFFIC SIGNS
 VICINITY OF WEST NYACK
 ELEMENTARY SCHOOL

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated March 15, 1987, has recommended various traffic signs be installed on West Nyack Road in front of the West Nyack Elementary School, West Nyack,

NOW, THEREFORE, be it

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

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
<u>West Nyack Road</u>		
WB E/O Sickletown Road	No Turn on Red	R3-7C
EB 350 Ft. W/O Sickletown Rd.	Signal Ahead	W2-17C
WB W/O Sickletown Rd.	School Child	W6-1C
WB 400 Ft. W/O Sickletown Rd.	School	W6-3C
	Speed Limit 15	R2-1C
EB 400 Ft. " " "	Town Speed Limit 30	R2-6C
WB E/O Hillside Ave.	School Crossing	W6-2C
EB E/O " " "	" " "	"
EB 300 Ft. W/O Hillside Ave.	School	W6-3C
	Speed Limit 15	R2-1C
WB " " " "	Town Speed Limit 30	R2-6C
EB 400 Ft. " " "	School Child	W6-1C
EB 200 FT. E/O Heather Lane	Left Curve	W1-3C
<u>School Driveway</u>		
NB at Exit at West Nyack Rd. North Side	No Left Turn	R3-1C
NB at Exit at West Nyack Rd. SE Corner	" " "	R3-1C
EB at Exit at West Nyack Rd. SE Corner	One Way	R3-10C
WB at Exit at West Nyack Rd. SE Corner	" "	R3-11C
EB at Exit at West Nyack Rd. SW Corner	" "	R3-10C
WB at Exit at West Nyack Rd. SW Corner	" "	R3-11C
EB at Entrance West Nyack Rd. SW Corner	" "	R3-11C
WB at Entrance West Nyack Rd. SW Corner	" "	R3-10C

Continued on Next Page

RESOLUTION NO. (343-1987) Continued

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. (344-1987)

**AUTHORIZING BUILDING
INSPECTOR TO ISSUE LETTER
IN FORM REQUESTED BY BOARD
OF COOPERATIVE EDUCATIONAL
SERVICES RE: ADVISORY
INSPECTION SERVICES DURING
COURSE OF CONSTRUCTION**

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Building Department has cooperated with the Board of Cooperative Educational Services Instruction Program to provide advisory inspection services during the course of construction on property under the jurisdiction of the Board of Cooperative Educational Services and the New York State Department of Education during which modular building was constructed by staff and students of Board of Cooperative Educational Services, and

WHEREAS, the participation of the Town of Clarkstown was as an accommodation to Board of Cooperative Educational Services (BOCES), and

WHEREAS, the Board of Cooperative Educational Services has requested that the Building Inspector issue a letter indicating that the premises, as constructed, if located in compliance with all applicable laws, ordinances and regulations of the Town of Clarkstown, would qualify for the issuance of a Building Permit and a Certificate of Occupancy, and in consideration for such, the Board of Cooperative Educational Services has agreed to indemnify and save harmless the Town of Clarkstown from any liability it may incur should the premises referred to herein be transferred to a site outside the territorial limits of the Town of Clarkstown, and

WHEREAS, the Town Board believes it to be in its best interest to accept the indemnification provisions and authorize the Building Inspector to issue the letter as requested,

NOW, THEREFORE, be it

RESOLVED, that the Building Inspector is authorized on behalf of the Town of Clarkstown to issue a letter in the form requested by the Board of Cooperative Educational Services provided factual statements therein shall be correct and indemnification agreement provided by the Board of Cooperative Educational Services is hereby accepted, and be it

FURTHER RESOLVED, that the resolution is retroactive to March 16, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Continued on Next Page

ABE740

RESOLUTION NO. (344-1987) Continued

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

RESOLUTION NO. (345-1987)

AUTHORIZING ATTENDANCE AT
SEMINAR ON APPRAISING FOR
ASSESSORS (NICHOLAS LONGO
AND TWO DESIGNEES) - CHARGE
TO ACCOUNT NO. 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown and two (2) designees of the Assessor are authorized to attend the Seminar on Appraising for Assessors from July 26, 1987 to July 31, 1987 at Cornell University in Ithaca, New York, and be it

FURTHER RESOLVED, that all proper charges be charged against Account No. 1010-414.

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. (346-1987)

AUTHORIZING RETURN OF
MAINTENANCE BOND WITH
REGARD TO DEDICATED
SUBDIVISION (RED HILL
ESTATES)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, maintenance bond secured by a Certificate of Deposit in the sum of \$7,640 furnished to the Town in connection with dedication of the road and improvements in a subdivision known as RED HILL ESTATES is terminated and the sum of \$7,640 may be released to the guarantor.

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. (347-1987)

AUTHORIZING ATTENDANCE AT
SPRING EQUIPMENT SHOW AND
MEETING OF AMERICAN PUBLIC

RESOLUTION NO. (347-1987) Continued

WORKS ASSOCIATION (JOHN O'SULLIVAN, CHARLES BURGIO AND GEORGE DRESCHER) - CHARGE TO APPROPRIATION ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that John O'Sullivan, Superintendent of Highways, Charles Burgio, Highway Maintenance Supervisor III and George Drescher, Highway Maintenance Supervisor II, are hereby authorized to attend the 1987 Spring Equipment Show and meeting of the American Public Works Association, to be held in Montgomery, New York, May 20, 1987, and be it

FURTHER RESOLVED, that all proper charges be charged to Appropriation Account No. A 1010-414.

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. (348-1987)

AMENDING RESOLUTION NO. 261 WITH RESPECT TO PETITION OF AIRPORT EXECUTIVE PARK, INC. FOR ZONE CHANGE (LIO TO R-15)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 261, adopted by the Town Board on March 10, 1987, with respect to a petition of Airport Executive Park, Inc., for a zone change from an LIO District to an R-15 District, is hereby amended as follows:

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (349-1987)

ACCEPTING ROADS AND IMPROVEMENTS IN TOWN OF CLARKSTOWN - OVERLOOK ESTATES (RANDI LANE, ALBERT COURT, JOANNE LANE, BETH LANE, VIKING LANE, LINDA COURT, ROBIN COURT, IVY COURT, AND SCANDIA COURT)

ABE740

RESOLUTION NO. (349-1987) Continued

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Supt. of Highways, the Director of Environmental Control and the Town Attorney of the Town of Clarkstown, deed from ALBERTA REALTY CORP. dated December 12, 1984, conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of OVERLOOK ESTATES filed in the Office of the County Clerk on December 13, 1984, in Book No. 102, at Page No. 72 as Map No. 5690, as

RANDI LANE	435	L.F.
ALBERT COURT	215	L.F.
JOANNE LANE	258	L.F.
BETH LANE	415	L.F.
VIKING LANE	522	L.F.
LINDA COURT	516	L.F.
ROBIN COURT	340	L.F.
IVY COURT	185	L.F.
SCANDIA COURT	2,200	L.F.

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

FURTHER RESOLVED, that the agreement guaranteeing the roads and improvements for a period of one (1) year, with security posted by the developer in the amount of \$28,350 is hereby accepted, and be it

FURTHER RESOLVED, that the written guarantee with security posted by the developer in the sum of \$5,000 for the completion of certain items is hereby accepted.

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. (350-1987)

AUTHORIZING TOWN ATTORNEY TO OBTAIN APPRAISAL SERVICES FOR PROPERTY LOCATED IN VICINITY OF ROUTE 303, WEST NYACK - CHARGE TO ACCOUNT NO. A 1420-409

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a qualified appraiser, including expert testimony, to provide such services for the Town of Clarkstown with respect to the proposed sale of possible surplus Town property which is located in the vicinity of Route 303, West Nyack, and be it

FURTHER RESOLVED, that the fees for such appraisal services shall not exceed \$5,000.00 and shall be charged to Account No. A 1420-409.

Seconded by Co. Smith

RESOLUTION NO. (350-1987) Continued

On roll call the vote was as follows:

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

Appearance: Mr. John Lodico
 2 Birch Lane
 New City, New York

Mr. Lodico inquired as to the location of the property in question in the foregoing resolution and Supervisor Holbrook stated that it was on the corner of the ramp. Town Attorney said that it was not yet declared surplus property. Mr. Lodico said this property fronts on Route 303 northeasterly, wholly within the Town of Clarkstown and said it was a very dangerous thing for this Board to make this surplus property.

Supervisor said they did not say they were making this surplus property. Mr. Lodico asked then why is it being considered as surplus property? Supervisor said we are not making this surplus property and Mr. Lodico asked then what is the purpose of the appraisal? Supervisor said the Town Board wanted it appraised. It is the decision of the Town Board whether it is surplus or not but we have not made that decision.

RESOLUTION NO. (351-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION ON
PREMISES MAP 141, BLOCK A,
LOT 16.01 - CHAPTER 79
(FELDI)

Co. Maloney offered the following resolution:

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

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 141, BLOCK A, LOT 16.01, located at North Route 9W, Congers, New York, reputedly owned by MARTIN FELDI, 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 garbage trucks, trailers, car parts, motors, dumpsters and miscellaneous debris on the premises, 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

ABE740

RESOLUTION NO. (351-1987) Continued

the Code of the Town of Clarkstown on premises known and designated as MAP 141, BLOCK A, LOT 16.01, reputedly owned by MARTIN FELDI, 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 28th day of April, 1987, at 8:35 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 April 15, 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. (352-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
FOR REMOVAL OF VIOLATION ON
PREMISES MAP 141, BLOCK A,
LOT 6.07 (STIERLEN)

Co. Maloney offered the following resolution:

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

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of

RESOLUTION NO. (352-1987) Continued

Clarkstown as MAP 141, BLOCK A, LOT 6.07, located at North Route 9W, Congers, New York, reputedly owned by MARY STIERLEN, 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 junk trucks, car wheels and miscellaneous debris on the premises, 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 141, BLOCK A, LOT 6.07, reputedly owned by MARY STIERLEN, 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 28th day of April, 1987, at 8:40 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 April 15, 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. (353-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
FOR REMOVAL OF VIOLATION ON
PREMISES MAP 55, BLOCK A,
LOT 13.27 (O'BRYAN)

Continued on Next Page

ABE740

RESOLUTION NO. (353-1987) Continued

Co. Maloney offered the following resolution:

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

WHEREAS, it has been reported by the Building Inspector that premises known and designated on the Tax Map of the Town of Clarkstown as MAP 55, BLOCK A, LOT 13.27, located at 4 Kenwood Lane, New City, New York, reputedly owned by RICHARD O'BRYAN, 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 4 unregistered cars, plywood, lumber, miscellaneous furniture, garbage, debris, 3 lawn mowers, a car fender and miscellaneous car parts, a large pile of used lumber, bricks and cinder blocks in the rear yard and along the north side yard of the premises, 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 55, BLOCK A, LOT 13.27 reputedly owned by RICHARD O'BRYAN, 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 12th day of May, 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 April 15, 1987.

Continued on Next Page

RESOLUTION NO. (353-1987) Continued

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. (354-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE VIOLATION
PROCEEDINGS ON PREMISES MAP
137, BLOCK A, LOT 11
(KARTEN)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises reputedly owned by ISIDORE KARTEN and JULIA KARTEN in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 137, BLOCK A, LOT 11, and be it

FURTHER RESOLVED, that a public hearing 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 12th day of May, 1987, at 8:20 P.M., providing service of Order and Notice Pursuant to Town Code, Chapter 31, can be made on or before April 15, 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. (355-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(TROJAN HARDWARE COMPANY
AGAINST BONAQUISTI
CONSTRUCTION CORPORATION
AND NORSTAR BANK OF UPSTATE
NEW YORK AND TOWN OF
CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:
In the Matter of the Application of
TROJAN HARDWARE COMPANY, INC. for a
Judgment directing payment to the
Albany County Sheriff,

Continued on Next Page

ABE740

RESOLUTION NO. (355-1987) Continued

Petitioner and
Judgment Creditor,

-against-

BONAQUISTI CONSTRUCTION CORPORATION,

Judgment Debtor,

-and-

NORSTAR BANK OF UPSTATE NEW YORK and
TOWN OF CLARKSTOWN, NEW YORK,
Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. 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. (356-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO CORRECT CURBING
ALONG CHRISTOPHER DRIVE,
NEW CITY AND 4 NORTHLYN
COURT, BARDONIA

Co. Maloney offered the following resolution:

BE IT RESOLVED, that Highway Suprintendent, John
O'Sullivan, is directed to immediately correct curbing along
Christopher Drive, New City and 4 Northlyn Court, Bardonia, New York.

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

Councilman Carey asked if the property in Bardonia was
the Dente/O'Looney property and was told that it was.

RESOLUTION NO. (357-1987)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
OFFICER - POLICE DEPARTMENT
(PATRICK J. KIVLEHAN)

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (357-1987) Continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Patrick J. Kivlehan, 1-10 Germonds Village, Bardonia, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1987 annual salary of \$27,929.00, effective March 2, 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

ABE740

RESOLUTION NO. (358-1987)

RECOGNIZING APPOINTING BY
POLICE COMMISSION OF POLICE
OFFICER - POLICE DEPARTMENT
(JEFFREY WANAMAKER)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Jeffrey Wanamaker, 139 Castle Heights Avenue, Upper Nyack, New York, as Police Officer - Police Department - from Certification of Eligibles - Police Officer - #84200 - at the current 1987 annual salary of \$27,929.00, effective March 2, 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. (359-1987)

RECOGNIZING APPOINTMENT BY
THE POLICE COMMISSION OF
POLICE RADIO DISPATCHER
(PERMANENT) - POLICE
DEPARTMENT (EDWARD HIRSCH)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Edward Hirsch, 5 Duane Avenue, New City, New York, as Police Radio Dispatcher - (Permanent) - Police Department - at the current 1987 annual salary of \$17,082.00, effective March 9, 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. (360-1987)

RESCINDING RESOLUTION NO.
292-1987 CREATING POSITION
OF DEPUTY COMPTROLLER

Co. Carey offered the following resolution:

RESOLVED, that Resolution No. 292-1987 adopted at the
Town Board Meeting of March 10, 1987 creating a position of Deputy
Comptroller is hereby rescinded.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (361-1987)

RESCINDING RESOLUTION NO.
293-1987 APPOINTING DOLORES
LODICO TO POSITION OF
DEPUTY TOWN COMPTROLLER

Co. Carey offered the following resolution:

RESOLVED, that Resolution No. 293-1987 adopted at the
Town Board Meeting of March 10, 1987, appointing Dolores Lodico to
the position of Deputy Comptroller is hereby rescinded.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (362-1987)

RECLASSIFYING POSITION OF
ADMINISTRATIVE AIDE TO
PLANNING ASSISTANT -
PLANNING DEPARTMENT (GRADE
27D)

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
certified that the position of Administrative Aide - Planning
Department - can be reclassified to the position of Planning
Assistant,

NOW, THEREFORE, be it

RESOLVED, that the position of Administrative Aide -
Planning Department - is hereby reclassified to the position of
Planning Assistant - Planning Department - Grade 27D - effective and
retroactive to March 2, 1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (362-1987) Continued

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

RESOLUTION NO. (363-1987)

RECOGNIZING APPOINTMENT BY
THE PLANNING BOARD OF
(PROVISIONAL) PLANNING
ASSISTANT - PLANNING
DEPARTMENT (TILLIE SCHWARTZ)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby recognizes the appointment, by the Planning Board, of Tillie Schwartz, One Dogwood Lane, West Nyack, New York, as (Provisional) Planning Assistant - Planning Department - at the current 1987 annual salary of \$33,723.00, effective and retroactive to March 2, 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. (364-1987)

APPOINTING TO POSITION OF
ASSISTANT FIRE SAFETY
INSPECTOR (PERMANENT) -
BUILDING DEPARTMENT
(WILLIAM BOWLER)

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles for Assistant Fire Safety Inspector, List #86337 which contains the name of William Bowler,

NOW, THEREFORE, be it

RESOLVED, that William Bowler, 13 Pigeon Hill Road, Nanuet, New York, is hereby appointed to the position of Assistant Fire Safety Inspector (Permanent) - Building Department - at the current 1987 annual salary of \$24,724.00 effective and retroactive to March 9, 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

ABE740

RESOLUTION NO. (365-1987)

ACCEPTING RESIGNATION OF
GROUNDWORKER - PARKS &
RECREATION DEPARTMENT
(JOSEPH RIZZO)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Joseph Rizzo, 87
Dustman Lane, Bardonia, New York - Groundswoker - Parks &
Recreation Department - is hereby accepted - effective February 27,
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. (366-1987)

ACCEPTING RESIGNATION OF
REAL PROPERTY APPRAISER -
ASSESSOR'S OFFICE (ADAM P.
KOPF)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Adam P. Kopf, 1
Hillside Avenue, New City, New York, as Real Property Appraiser -
Assessor's Office - is hereby accepted - effective and retroactive
to March 13, 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. (367-1987)

APPOINTING TO POSITION OF
(PROVISIONAL) REAL PROPERTY
APPRAISER - ASSESSOR'S
OFFICE (FRANCES HEINISCH)

Co. Carey offered the following resolution:

RESOLVED, that Frances Heinisch, 120 South Main Street,
Pearl River, New York 10965, is hereby appointed to the position of
(Provisional) Real Property Appraiser - Assessor's Office - (to fill
vacancy created by Adam Kopf's resignation) - at the current 1987
annual salary of \$27,577.00, effective and retroactive to March 16,
1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (367-1987) Continued

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

RESOLUTION NO. (368-1987)

APPOINTING TO POSITION OF
 TEMPORARY (PROMOTIONAL)
 ASSESSING CLERK -
 ASSESSOR'S OFFICE (SUSAN
 STEVENSON)

Co. Carey offered the following resolution:

RESOLVED, that Susan Stevenson, 41 Demarest Avenue,
 West Nyack, New York, is hereby appointed to the position of
 Temporary (Promotional) Assessing Clerk - Assessor's Office - (to
 fill the vacancy created by Frances Heinisch) - at the current 1987
 salary of \$23,116.00, effective and retroactive to March 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. (369-1987)

APPOINTING TO POSITION OF
 TEMPORARY (PROMOTIONAL)
 SENIOR CLERK - ASSESSOR'S
 OFFICE (FRANCES KOPPEL)

Co. Carey offered the following resolution:

RESOLVED, that Frances Koppel, 41 Lakewood Drive,
 Congers, New York, is hereby appointed to the position of Temporary
 (Promotional) Senior Clerk - Assessor's Office - (to fill vacancy
 created by Susan Stevenson) - at the current 1987 salary of
 \$18,195.00, effective and retroactive to March 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. (370-1987)

ACKNOWLEDGING RETURN FROM
 LEAVE OF ABSENCE - SENIOR
 GROUNDWORKER - PARKS BOARD
 AND RECREATION COMMISSION
 (FRED C. HASTINGS)

Co. Carey offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (370-1987) Continued

RESOLVED, that the Town Board hereby acknowledges the return from leave of absence of Fred C. Hastings, 27 Lake Nanuet Drive, Nanuet, New York - Senior Groundswoker - Parks Board and Recreation Commission - effective February 9, 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. (371-1987)

GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 OF CODE OF TOWN OF CLARKSTOWN (J.F. WALSH PLUMBING & HEATING, INC. - CERTIFICATE NO. 87-15

Co. Maloney offered the following resolution:

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

J.F. WALSH PLUMBING & HEATING INC.
39 Western Highway
West Nyack, New York 10994

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 87-15 issued to J.F. Walsh
Plumbing & Heating Inc.

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. (372-1987)

AUTHORIZING ATTENDANCE AT ANNUAL CONFERENCE AT NATIONAL INSTITUTE OF GOVERNMENTAL PURCHASING (LAURENCE KOHLER) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the annual conference of the National Institute of Governmental Purchasing in Kansas City, Missouri from July 25-29, 1987, and be it

TBM - 3/24/87
Page 43

RESOLUTION NO. (372-1987) Continued

FURTHER RESOLVED, that all necessary expenses be charged to Account No. A 1010-414.

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. (373-1987)

APPOINTING AND AUTHORIZING
HEARING OFFICER WITH REGARD
TO SECTION 75 OF CIVIL
SERVICE LAW - DISCIPLINARY
PROCEEDINGS (CHARLES
LEVERS) CHARGE TO ACCOUNT
NO. 1420-209

Co. Maloney offered the following resolution:

WHEREAS. by charges and specifications dated March 16, 1987, the Supervisor of the Town of Clarkstown, Charles E. Holbrook, has instituted disciplinary proceedings pursuant to Section 75 of the Civil Service Law against CHARLES LEVERS;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby confirms the commencement of said proceedings, and be it

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. (374-1987)

APPOINTING AND AUTHORIZING
HEARING OFFICER WITH REGARD
TO SECTION 75 OF CIVIL
SERVICE LAW - DISCIPLINARY
PROCEEDINGS (WILLIAM TASARO)

Co. Carey offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (374-1987) Continued

WHEREAS, by charges and specifications dated March 11, 1987, the Superintendent of Highways, John O. Sullivan, has instituted disciplinary proceedings pursuant to Section 75 of the Civil Service Law against WILLIAM TASARO;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby confirms the commencement of said proceedings, and be it

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. 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. (375-1987)

ADJOURNING PUBLIC HEARING
REGARDING ALLEGED VIOLATION
OF CHAPTER 63 OF TOWN CODE
OF TOWN OF CLARKSTOWN
(DONATO MARANGI, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that the public hearing regarding an alleged violation of Chapter 63 ("Landfills") of the Town Code of the Town of Clarkstown by Donato Marangi, Inc., is hereby adjourned upon request of the attorney for the Respondent, from March 24, 1987 at 9:00 P.M. to April 7, 1987, in the Clarkstown Town Hall, Room 311, 10 Maple Avenue, New City, New York.

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. (376-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH A
& R ALARM CORP. AMENDING
AGREEMENT WITH RESPECT TO
ALARM SYSTEM AT CLARKSTOWN
POLICE HEADQUARTERS

RESOLUTION NO. (376-1987) Continued

Co. Maloney offered the following resolution:

WHEREAS, A & R Alarm Corporation, has submitted an amendment to an agreement dated December 9, 1969, to provide an alarm system to the Clarkstown Police Headquarters, and

WHEREAS, the Town Board wishes to accept said amendment to agreement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into the amendment to the agreement with A & R Alarm Corporation, in a form annexed hereto.

Seconded by Co. Smith

(Agreement on file in Town Clerk's Office)

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 Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Community Development Funds 1987 Program Year, was opened, time: 8:47 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing re: Community Development Funds 1987 Program Year, was closed, (NO DECISION MADE) time: 8:51 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Special Permit (Landfill Operation) - Bertolino, was opened, time: 8:52 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Special Permit (Landfill Operation) - Bertolino, was closed, DECISION RESERVED (until SEQRA process completed), time: 9:03 P.M.

Supervisor said there would be no action on this Special Permit until the SEQRA process had been completed.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Violation on Premises - MAP 57, BLOCK G, LOT 4 (Highview) was opened, time: 9:04 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:30 P.M.

RESOLUTION NO. (377-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES (MAP 57, BLOCK G, LOT 4 - HIGHVIEW)

ABE740

RESOLUTION NO. (377-1987) Continued

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 165 dated February 10, 1987, 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 57, BLOCK G, LOT 4, 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 March 24, 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 February 10, 1987, 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 10th day of April, 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. Carey

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: Violation on Premises MAP 105, BLOCK A, LOT 33.3 - Schwarz-County Concrete), was opened, time: 9:31 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Violation on Premises MAP 105, BLOCK A, LOT 33.3 - Schwarz-County Concrete), was closed, RESOLUTION ADOPTED, time: 9:43 P.M.

RESOLUTION NO. (378-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 105, BLOCK A, LOT 33.3 (SCHWARZ-COUNTY CONCRETE)

Co. Carey offered the following resolution:

RESOLUTION NO. (378-1987) Continued

WHEREAS, by Resolution No. 166 dated February 10, 1987, 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 105, BLOCK A, LOT 33.3, 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 March 24, 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 February 10, 1987, 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 10th day of April, 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 Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Violation on Premises MAP 89, BLOCK B, LOT 11.1 (PARTRIDGE) was opened, time: 9:44 P.M.

On motion of Councilman Carey, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Violation on Premises MAP 89, BLOCK B, LOT 11.1 (PARTRIDGE) was closed, RESOLUTION ADOPTED, time: 9:45 P.M.

RESOLUTION NO. (379-1987)

AUTHORIZING DISCONTINUANCE
OF FURTHER PROCEEDINGS RE:
CHAPTER 79 VIOLATION ON
PREMISES - MAP 89, BLOCK B,
LOT 11.1 (PARTRIDGE)

Co. Carey offered the following resolution:

Continued on Next Page

ABE633

RESOLUTION NO. (379-1987) Continued

RESOLVED, that the condition complained of in the Order and Notice dated February 10, 1987, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 89, BLOCK B, LOT 11.1 has been corrected, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to discontinue all further proceedings provided the property owner shall reimburse the Town the sum of \$123.00 to pay for the cost of the proceeding to the date of the public hearing.

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 Carey, seconded by Councilman Maloney and unanimously adopted the public hearing re: LOCAL LAW NO. 5-1987 - AMENDING SECTION 106-33 OF THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN (PENALTIES FOR OFFENSES) was opened, time: 9:46 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: LOCAL LAW NO. 5-1987 - AMENDING SECTION 106-33 OF THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN (PENALTIES FOR OFFENSES) was closed, RESOLUTION ADOPTED (with NO of Councilwoman Smith), time: 10:04 P.M.

RESOLUTION NO. (380-1987)

ADOPTING LOCAL LAW NO. 5-1987 - AMENDING SECTION 106-33 OF THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN (PENALTIES FOR OFFENSES)

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled:

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

was introduced by Councilman Maloney at a Town Board meeting held on 10th day of February, 1987, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 10th day of February, 1987, directed that a public hearing be held on the 24th day of March, 1987, at 8:25 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on March 10, 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 February 9, 1987, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 24, 1987;

Continued on Next Page

RESOLUTION NO. (380-1987) Continued

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5-1987, entitled:

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

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Charles E. Holbrook, Supervisor.....	Yes
William J. Carey, Councilman.....	Yes
Edward J. Lettre, Councilman.....	Yes
John R. Maloney, Councilman.....	Yes
Ann M. Smith, Councilwoman.....	No

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

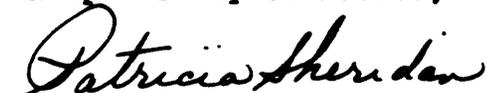
Seconded by Co. Carey

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing re: ZONE CHANGE RS TO R-15 - ROUTE 59 CORRIDOR, was opened, time: 10:06 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing re: ZONE CHANGE RS TO R-15 - ROUTE 59 CORRIDOR, was closed, DECISION RESERVED, time: 10:30 P.M.

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

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

ABE633

TOWN OF CLARKSTOWN
PUBLIC HEARING

229

Town Hall

3/24/87

8:47 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: COMMUNITY DEVELOPMENT HEARING FOR CITIZEN VIEWPOINT 1987
PROGRAM YEAR

Town Clerk read notice published in the Rockland Journal News by the Rockland County Consortium calling for this hearing to be held this evening in the Town of Clarkstown.

Supervisor Holbrook said Clarkstown's allotment at this time is approximately \$40,000.00. He called upon anyone wishing to make a suggestion to come forward.

Appearance: Mr. John Lodico
2 Birch Lane
New City, New York 10956

Mr. Lodico said it is ridiculous that Clarkstown gets a paltry \$40,000.00 while Spring Valley gets hundreds of thousands of dollars. He felt we should pursue the equalization rate and unless Clarkstown gets its fair share we should get out of the program. By getting out of this program we can save the taxpayers millions of dollars.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, time: 8:51 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIAN,
Town Clerk

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

231

Town Hall

3/24/87

8:52 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: SPECIAL PERMIT (LANDFILL OPERATION) BERTOLINO

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

Town Clerk read notice calling Public Hearing and Town Attorney testified as to proper posting and publication.

Town Attorney said he had correspondence in his file from the Rockland County Planning Board dated March 4, 1987 regarding the referral of this petition. The letter is signed by William Chase, Commissioner of Planning and the recommendation is

"Approved subject to conditions below:

1. The recommendations of the New York State Thruway Authority letter of 2/27/87.
2. The recommendations of the Soil & Water Conservation District letter of 2/5/87.
3. All sign and lighting detail plans be sent to this department for review and approval.
4. Provisions for adequate screening facing the Thruway to prevent vehicular headlights from shining through onto the Thruway."

Town Attorney said attached to that letter is a letter dated February 27, 1987 addressed to the Rockland County Commissioner of Planning from the New York State Thruway Authority which is referred to in Commissioner Chase's letter. There was also a letter dated March 19, 1987 addressed to the Town Board from the Town of Clarkstown Planning Board which contains the following recommendation:

"RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has examined the request for Special Permit to allow for landfill operation for Bertolino 90All.04 West Nyack, in relation to the surrounding area, the statutory requirements and the planning implications. The Planning Board respectfully recommends that the petition be granted subject to the following conditions:

1. Subject to completion of S.E.Q.R.,
2. Subject to compliance with Section 106.16L of the Zoning Ordinance,
3. Fill material shall be limited to clean earth and any substitution shall be approved by the Dept. of E.C.
4. Information regarding rehabilitation of the site and performance bond shall be provided to the satisfaction of the Dept. of E.C.
5. Method of placing and compaction of the fill to be subject to Dept. of E. C. approval,
6. Before any material is dumped on the site, the temporary filter barrier shall be installed,
7. Erosion control plan shall be amended to show...
 - a) details of all sediment control structures to be shown on the plan;
 - b) storm drain inlet structures shall be protected with a filter berm,
 - c) a site stabilization plan for the areas below the retaining wall shall be developed,

Continued on Next Page

ABE740

8. A 6 foot high chain link fence shall be installed at the New York State Thruway property line,
9. Adequate screening shall be provided facing the Thruway (to prevent vehicular headlights from shining onto the Thruway),
10. Drainage shall be subject to review and approval by the New York State Thruway."

Town Attorney said there is also correspondence from the Deputy Director of the Department of Environmental Control which basically recommends to the Planning Board all of the conditions which the Planning Board put in its recommendations to the Town Board. He said there was further correspondence indicating that SEQRA was not completed as of March 18, 1987. He was unsure whether that had been completed as of tonight's date.

Supervisor asked if the applicant had a presentation to the Town Board at this time.

Appearance: Mr. William Stein
Office of Henry Horowitz
representing Mr. Bertolino

Mr. Stein said with respect to SEQRA he believed that the Town Board is the lead agency and would have to close the SEQRA process before taking action on the petition. With respect to the recommendations of the Planning Board the only issue with which he would take exception is that he would not like to preclude rock tailings with the definition of clean earth. The intention of the applicant is to dispose of rock tailings as well as clean fill but he did not want to become legalistic and exclude the option of placing the tailings from the quarry. He said the applicant has no intention at this time of constructing a retaining wall but merely to place somewhere between 15,000 and 20,000 cubic yards of clean fill on the site from three and one half acres without a defined ultimate development. Any proposed development would, of course, come before the Planning Board in a site plan approval.

Supervisor asked if any Board members had any questions? No one did.

Supervisor asked if there was anyone present from the public who would like to comment on the application.

Appearance: Mrs. Audrey Paley, Chairwoman
Litter Control Bureau

Mrs. Paley said they had been concerned about this site for quite a few years. Their concern is that since the Thruway has already been dumping material in there for years as well as residents illegally dumping material, will the applicant sift through what it is already there to see whether it is clean and not hazardous and harmful?

Appearance: Mr. Michael Bertolino
Congers, New York

In answer to Supervisor Holbrook's question as to whether he would be willing, before any landfill is to commence, to have the debris inspected to determine whether or not there would be any dangerous debris that would be covered over by the new fill, Mr. Bertolino said he would certainly agree to that.

Appearance: Mr. John Lodico, Director
Independent Contractors Association
of Rockland County

Mr. Lodico said it has always been their goal, especially in Clarkstown, to promote to the best of their ability and in the best interest of the Town those lands that would be most

conducive to commercial or industrial growth. Mr. Lodico said the term "landfilling" makes the observer think that they are referring to garbage. Is it possible in the future that these projects be entitled "land reclamation operation" rather than "landfill." Mr. Lodico said he thought it was even more proper to have the trap rock tailings installed in there and then finish with clear as that would be the best construction procedure.

There being no one further wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, DECISION RESERVED, time: 9:03 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

(Decision reserved until SEQRA process complete.)

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

235

Town Hall

3/24/87

9:04 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: VIOLATION HEARING - CHAPTER 79 (HIGHVIEW INVESTMENT)

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Attorney testified as to proper notification.

Town Attorney said this proceeding was instituted by Resolution No. (165-1987) against property designated on the Clarkstown Tax Map as Map 57, Block G, Lot 4 reputedly owned by Highview Investment Company and a public hearing was scheduled for tonight. Pursuant to that resolution an order was served by certified mail, return receipt, upon the reputed property owner, Highview Investment Company, 61 South Main Street, New City, New York. The Order and Notice contained direction to the property owner as follows: to remove overflowing dumpsters, a large accumulation of garbage and debris underground surrounding said dumpsters and other areas of the parking lot of the premises which exist at 61 South Main Street, New City, New York. The notice was addressed to Highview Investment Company, 19 Jeffrey Place, Monsey, New York and it was an order of the Building Inspector dated 2/5/87 which initiated this proceeding.

Town Attorney said the mail addressed to that address was returned to the Town Attorney's office with a notation that an attempt to deliver was made on February 20th, February 27th and March 10th. It was unclaimed.

Town Attorney called upon Mrs. Irene Saccende, Code Inspector of the Building Department. Mrs. Saccende was sworn in by the Town Attorney. She stated that she had personal knowledge concerning the alleged litter problem.

Mrs. Saccende said this has been an ongoing condition for the past year. It was in court last year. Mrs. Saccende reported as follows:

"The property maintenance at 61 S. Main Street, New City, over the past year has been extremely negligent. Snow was not removed from the sidewalk between Main Street and the front parking lot; the snow was not removed from the turn section of the rear parking lot, thereby hindering the flow of traffic in and out of said parking area.

During the most recent inspection of this property, 3.24.87 at approximately 2PM, I found the area around the dumpster greatly improved. However, the alley behind the south end of the building still has paper litter on the ground and the west property line behind the parked cars as well as the center section of the parking area and the northerly property line all need to be raked to remove the paper and plastic packing material which is caught in the leaves and weeds. Also, the parking area should be swept to remove all the paper remains and bits of plastic packaging.

If this action is taken I feel there will be no need for the Town to have to go in and clean up, therefore I would recommend 10 days to two weeks be given to the owner to finish said cleanup."

Town Attorney asked Mrs. Saccende if she had any contact with the property owner and she said she has spoken with Mrs. Schwimmer who is the wife of the President of the corporation. Supervisor asked how the response has been and Mrs. Saccende said it was very positive. Mrs. Saccende stated that Mrs. Schwimmer said

Continued on Next Page

ABE740

they contacted their carter and that they would have pick-up every day. Mrs. Saccende said she has been inspecting it every week. Supervisor asked how the condition of the property had been over the past year. Mrs. Saccende presented photographs taken over a six week period starting February 4th and they go up to today's date (March 24, 1987). Town Attorney asked Mrs. Saccende if the pictures presented a fair and accurate depiction of the property and if Mrs. Saccende had taken them. She answered in the affirmative.

Supervisor asked if Town Board members had any questions. No one did. Supervisor asked if anyone from the public had any questions or comments.

Appearance: Mr. Marty Glasser, President
Customer Identification Services

Mr. Glasser said he is also president of a company affiliated with the above, called CIS Marketing, Inc., which rents approximately 80% of the second story of the building located at 61 South Main Street, New City. In addition to that he said they rent two stores on the first floor of that building. He gave a lengthy description of the problems with the landlord (whom he referred to as a "slumlord".) These included problems with snow removal, faulty elevator, there is no maintenance of the health facilities in the building, air conditioning and heating systems failures, people being locked in or out of the building due to faulty locks, broken glass over the driveway of the building, plumbing failures, leaking roof, faulty security lights, potholes. He asked for a minimum standard of safety.

Town Attorney said the purpose of this hearing is to inquire into the state of the property outside of the building. If there are safety hazards in the building they will be called to the attention of the Building Inspector and the Fire Inspector. Supervisor said also the Health Department should be notified. Other inspections will be made and other actions will have to be taken, but tonight we are focusing on the accumulation of litter and debris which may affect the safety and health of the community. To the extent that Mrs. Saccende has reported the garbage has been cleaned up on the outside of the building. If all of the complaints, that were the subject of this Notice and Order, have been corrected the matter would certainly be beyond the Town Board's control.

Mr. Glasser asked what type of assurance could he get that the clean up would be an on-going, continuing effort. Supervisor said that would be addressed later tonight. Mr. Glasser said there is a history of problems with this property. Supervisor said the reason this is here tonight is because we have played around with this nonsense with this building for too long. It has been in the Justice Court which accomplished next to nothing in terms of action. Supervisor said in regard to health violations, building violations and fire violations they will be addressed.

Councilman Carey asked if they could withhold payment of rent and Mr. Glasser said they attempted to do that in a modified way and that was the basis of the eviction notice to which they were subjected. Mr. Glasser thanked the Town Board for the opportunity to be heard.

Appearance: Ms. Zelda Okon
employee of Mr. Glasser

Ms. Okon stated that she has worked for Mr. Glasser for many years and has been in this building since Mr. Glasser opened up there for business. Ms. Okon said there are holes in front of the steps where you enter the building in the rear. In those holes there is filthy water at all times. It is disease breeding and no one ever cleans it away.

Continued on Next Page

Appearance; Mrs. Barbara Schwimmer
wife of owner of the building

Mrs. Schwimmer said they enjoy a beautiful relationship with all their other tenants and this is a personal thing between Mr. Glasser and Mr. Schwimmer. She said they had received letters explaining about the rubbish. She said she has a very positive interest in cleaning up this building. She wants it to look decent. She said she has a reputable man who comes to clear away the snow and she has had no other complaints regarding this. CIS (Mr. Glasser) made renovations, left his debris outside and the snow covered it and then it froze. Her cleaner could not do anything. Now with the snow melted she must clear away the debris for which Mr. Glasser is responsible.

Town Attorney asked Mrs. Schwimmer about the photographs which were placed in evidence. He asked if she had any personal knowledge concerning the condition of the premises and asked if she had seen these photographs taken in February of this year which show an extensive accumulation of garbage and debris on the ground. Mrs. Schwimmer said she had trouble with garbage pick-up this year. She now has a man who has promised he will come every day to pick-up.

Supervisor said that Mrs. Saccende has recommended that the Schwimmers be given ten days to rectify the conditions on the outside. He said his suggestion to the Town Board was that they take that course of action. He said as to the other complaints raised here they will be addressed from the Town's point of view and from the County's point of view but with regard to the maintenance of the property on the outside it would be his recommendation to the Town Board to give ten days and at that time have Mrs. Saccende do a reinspection. The Town Board is expectant that this clean-up will prevail from now on and is not just temporary because of this hearing.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:30 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (377-1987) ADOPTED

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/24/87

9:31 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: VIOLATION HEARING - CHAPTER 79 (COUNTY CONCRETE)

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared open. Town Attorney testified as to proper notification.

Town Attorney said this was initiated by resolution of the Town Board dated February 10, 1987 with respect to property known as Map 105, Block A, Lot 33.3 which is reputedly owned by Schwarz and/or County Concrete. As a result of this, the Town Attorney's office prepared a Notice and Order pursuant to Chapter 79 and served same upon Albert Schwarz and Lily Schwarz, reputed owners of the premises located at Route 59, West Nyack, New York by certified mail, return receipt, addressed to Mr. Albert Schwarz and Mrs. Lily Schwarz, 276 River Road, Grandview, New York. The postal service indicates that the letters were delivered and accepted by Linda Lynch on February 27, 1987.

Town Board's Order and Notice directed the property owner to comply with a Violation Notice dated January 12, 1987 from the Building Inspector's office which required that 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 be removed from the property within ten days after notice. The condition continued to exist as of February 10, 1987.

Town Attorney swore in Mr. Richard Sullinger, Code Inspector of the Town of Clarkstown. Mr. Sullinger stated that he had personal knowledge of the complaint referred to. Mr. Sullinger said his initial visit was on December 16, 1986. He found signs of dumping on the east side of the Besso right-of-way which leads on to the County Concrete property. On a reinspection visit this morning he still found rusting drums from transit mixers, crane parts (hoisting cranes), steel tanks, various building materials and dirt piles. He said there was also in evidence some activity in the rear of this property which appears to have been encroachment on to Town property (area adjacent to the Sanitary Landfill.) He said he found tanks, sludge or left over concrete poured there, piles of dirt, vehicles parked there and other signs of dumping - recent and late.

Town Attorney asked if this was an active commercial location? Mr. Sullinger said that piece of property is active. He said he believed that County Concrete business is run from there and that is where the trucks fill up with water, sand, gravel and the mixture for concrete. Town Attorney asked if any of the described material was permitted to be discarded in conjunction with this commercial activity on the site? Mr. Sullinger said if transit mixers were parked there they would be accessory to the business and if you had dump trucks which might have brought in building materials they would be accessory to the business but the type of dumping which indicates that they were discarded and just left there are being cannibalized. Some are of value to the owner and he has asked that he be allowed to choose which items he would like to retain and use the parts for other vehicles. He has made statements that he would like to move the other stuff out.

Town Attorney asked when Mr. Sullinger had contact with the property owner? Mr. Sullinger said he had a conversation with his attorney who informed him that Mr. Schwarz was on an extended vacation and was expected to return sometime the first part of March. Subsequent to that contact with his attorney Mr. Schwarz did

Continued on Next Page

ABE740

return from vacation and met with Mr. Colucci and himself (Mr. Sullinger) in Mr. Colucci's office. He said he wanted to take care of the items that were to be discarded himself. He felt he could handle the situation without the Town interfering. Town Attorney asked if it was Mr. Sullinger's opinion that the accumulations that have been described constitute nuisance, hazard and litter within the definitions of Chapter 79 of the Town Code. Mr. Sullinger replied in the affirmative. Mr. Sullinger said the full impact of the problem cannot be seen merely by looking at photographs (which he submitted in evidence) as there are several overlapping properties involved. It is very difficult to place responsibility at some of the junctures of these lots.

Town Attorney asked Mr. Sullinger if these pictures had been personally taken by him and he said yes. Town Attorney asked him if they represent a fair and accurate depiction of the conditions which he is describing. Mr. Sullinger said they are. Mr. Sullinger then described what was depicted.

Mr. Sullinger presented a vicinity map for the Board's inspection so that they could see how this property relates to other surrounding property. This map highlights portions of the property in question where debris has been dumped.

Mr. Sullinger said he would like to strongly suggest that the Town Board, the Town Attorney, Town Engineer and Building Inspector make an on-site inspection in order to determine what course of action should be followed. In support of that he submitted photographs of adjacent properties so you can see the magnitude of the activity which has gone on in the whole area. This goes further than an attempt by the Town to clean it up. It should be looked at together to see what type of action can be taken.

Town Attorney asked if the condition of the property which is the subject of tonight's hearing and which is depicted in these photographs exist at the present time and Mr. Sullinger said yes. Town Attorney asked if Mr. Sullinger had a recommendation to make to the Town Board as to whether or not it should authorize and direct the removal of this and if it is not removed to have Town personnel and/or contractors hired by the Town to come in and remove this debris and clear up this condition? Mr. Sullinger said yes.

Supervisor asked if any Town Board member had any questions? No one did.

Supervisor asked if the property owner or representative was present. No one appeared.

There being no one further wishing to be heard on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:43 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (378-1987) ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

241

Town Hall

3/24/87

9:44 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: VIOLATION HEARING - CHAPTER 79 PROCEEDING (PARTRIDGE)

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was opened.

Town Attorney said this proceeding was commenced by resolution of the Town Board dated February 10, 1987 with respect to property designated as MAP 89, BLOCK B, LOT 11.1 reputedly owned by Partridge. The Order and Notice of the Town Board was sent by certified mail, return receipt, to Harry C. Partridge, Jr., 22 Strawtown Road, West Nyack, New York. The Postal Service indicates that it was delivered on February 24, 1987. The Order attached to the document sent to the property owner noted that an accumulation of trash and litter surrounding the dumpster, including but not limited to, paper, cans, empty containers, was on the property and to the extent that it had accumulated it presented a nuisance, hazard and threat to the health, safety and welfare of the community. An Order of December 30, 1986 from the Building Inspector was appended to the Town Board's Order complaining of the same problem.

Town Attorney called upon Mr. Richard Sullinger, Code Inspector, who was still under oath. He stated that there was a period of time when there was an open dumpster and litter. The situation has been corrected to the satisfaction of the Building Department and he recommended that no further action be taken.

Town Attorney stated that the costs of the proceeding to follow up on the Town Board's resolution was the sum of \$123.00, which represents the actual expenses incurred by the Town Attorney's office including the last owner search, filing of papers, etc. Town Attorney said he would recommend, if no further action is taken, that the Town Board adopt a resolution terminating the proceedings but also asking that the property owner reimburse the Town for the costs and expenses of the proceeding.

On motion of Councilman Carey, seconded by Councilwoman Smith 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. (379-1987) ADOPTED)

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/24/87

9:46 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: LOCAL LAW NO. 5-1987 - AMENDING SECTION 106-33 OF THE
ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN (PENALTIES
FOR OFFENSES)

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

Town Attorney explained the purpose of the proposed local law. He stated that he had some correspondence in his file concerning this matter. He said this proposed local law would amend the Zoning Ordinance of the Town of Clarkstown to provide that zoning code violations would be deemed to be misdemeanors and would impose a penalty that would escalate upon subsequent convictions. The first conviction for anyone violating the provisions of the Zoning Ordinance would be a fine not exceeding \$350.00 and imprisonment for a period not to exceed six months or both. For conviction for a second offense committed within a period of five years a fine of not less than \$350.00 nor more than \$700.00 or imprisonment for six months or both will be imposed. Upon conviction for a third or subsequent offense, all of which committed within a period of five years, a fine of not less than \$700.00 nor more than \$1,000.00 or imprisonment for a period not to exceed six months or both would be imposed.

Town Attorney went on to say that the law is also being changed to provide that each week's continued violation shall constitute a separate additional violation. That is a change from the old approach which said that each day's violation constituted a separate additional violation. The old code provision provided for a fine not exceeding \$250.00 or fifteen days in jail and it was not designated as a misdemeanor. It was a violation.

Town Attorney said he had a letter in the file dated February 4, 1987 from the office of the District Attorney which is in response to a letter that he (Town Attorney) sent on January 29, 1987 asking if their office would have any objection to authorizing the Town Attorney and Deputy Town Attorneys to prosecute zoning ordinance violations in the Justice Court if they were deemed to be misdemeanors. The letter states:

"In response to your letter of January 29, 1987 please be advised that this office has no objection to authorizing the Town Attorney and Deputy Town Attorneys of the Town of Clarkstown to prosecute zoning ordinance violations in the Town Justice Court.

/s/ Harvey A. Eilbaum,
Chief Asst. Dist. Atty."

Town Attorney said he also received an anonymous letter on March 4, 1987 in which the writer felt that making it a criminal offense to violate the zoning code was overdoing it.

Supervisor asked if there was anyone present wishing to comment on the proposed local law either for or against or to raise a question?

Appearance: Mr. Marty Glasser

He asked if the conditions present in the building he rents (which was the subject of a previous violation hearing this

Continued on Next Page

ABE740

evening) would come under the authority of the Zoning Board? Town Attorney said some of what had been discussed is definitely related to the Zoning Ordinance. Some of it is found in Chapter 79 which as of yet has not been revised to up the rate of the penalty. Mr. Glasser felt the language of Chapter 79 was so restrictive that it really did not afford sufficient protection to cover the problems he had outlined in the previous public hearing.

Supervisor said there are other sections that do and the Health Department, Building Department and Fire Inspector could be called upon also and it will be taken care of.

Appearance: Mr. John Lodico
2 Birch Lane
New City, New York

Mr. Lodico said he wondered if the Town Board is getting into an area where they really don't belong. Supervisor said the purpose is to have compliance and the law is designed for the recalcitrant person who flies in the face of the law. You have people going through the Justice Court in one door and out the other ad infinitum. The Town is saying that when a person gets a violation he is supposed to comply. This is not for menial violations but we are talking about habitual violators who are recalcitrant and refuse to comply with the laws of the Town. The Town Board is trying to get compliance.

Mr. Lodico said a first notice or a second notice might be one thing but it doesn't say that. It becomes a criminal offense the first time if you wish to enact it as such.

Town Attorney said the Building Inspector investigates any violations of the zoning ordinance and a deputy will contact the property owner or tenant and ask that any violations be cleared up. That is usually just a request and not a command. If the action that is asked for is not taken then the next step would be for the Building Inspector to issue a letter directing that the condition be corrected within five, ten or fifteen days depending upon the nature of the hazards that might be presented to the occupant or the public. If that is not complied with and if the person who receives that order fails to take an action to bring this matter to the Zoning Board of Appeals to seek either a variance or an interpretation then the next step in the process would be for the Building Inspector to file an information in the Justice Court. It is at this level where the information is filed that the change is occurring if this local law is adopted. It would then be designated as a misdemeanor. The amount of the fine and the escalation of the fine are as authorized in the Town Law by a recent amendment. The only change is that we will be calling it a misdemeanor rather than a violation. It would be criminal if one is convicted of such a violation in the Justice Court and there is no question about that.

Mr. Lodico said there are other places in the statute where an offense is still an offense no matter how many times you commit it. Town Attorney said an offense is a generic term which covers any possible violation. Mr. Lodico said if the penalty is whatever it doesn't necessarily mean a jail sentence. Town Attorney said that is up to the judge and is not mandatory.

Mr. Lodico said maybe we are arresting somebody here on a charge for having a dog house four inches wider than it should be ... we are writing a law. Town Attorney said yes we are writing a law but it is not a law that a judge would be free to impose. There is a standard in the law that says that the penalty should not be shocking in terms of the type of offense involved and it would not be expected that anyone would be sentenced to jail time for a dog house four inches wider than allowed. Mr. Lodico said he hoped that the word would be a reasonable situation for its cure in deference to immediately considering a jail sentence as was indicated. Town

Attorney said there is a fifteen day jail term in the current law. What we are doing is allowing the judge to have the discretion to impose up to six months. Mr. Lodico discussed various other situations where a person might commit a crime but not go to jail.

Appearance: Mr. Tom Sheey

Mr. Sheey asked when this law would go into effect. Town Attorney said this particular law has been written that it will take effect thirty days after filing in the Office of the Secretary of State of New York. If adopted it will probably be sent up to Albany tomorrow by express mail so it will be about thirty days. Mr. Sheey then asked how they would find offenders. Town Attorney said there would be no difference in that. The Building Inspector is under an obligation to detect violations of the Zoning Ordinance. People report violations to his office. He assigns an inspector to investigate it. He uses what investigative tools are available to him and there are any number of them. Personal observations are made and reported. Supervisor said that is the way it is basically done now.

Appearance: Mr. Al Rossi
Nanuet, New York

Mr. Rossi asked if the law distinguishes between whether a person created the violation or inherited the violation. Conceivably someone could buy a house where there is a violation of which he is unaware and is hit with a violation. Is that person responsible? Supervisor said if a person receives notice of a violation and takes steps to correct the violation (for example a variance that was not obtained) for a zoning variance that would take care of it. All those options are options which people now have and would be options they would have under the new law too. The major thrust of this is to gain compliance when the violation goes out to a person the Town wants them to address it. If they address it there is no problem. We want an intent to address it and there won't be a problem either.

Councilman Maloney said as long as you rectify it you won't even end up in court.

Appearance: Mr. Martin Feldi
New City, New York

Mr. Feldi asked if the present system of the violations that are sent to the Justice Court is inadequate is that why we are adopting this new law? Supervisor said the proposal for the law is that we reach a point where there are certain individuals in the Town who when they receive violations ignore them. When they go to Justice Court the present penalties are not sufficient as a deterrent. Sometimes a person deems it in his best interest to pay a fine and continue violating the law. This is what the Town is trying to get around. We want compliance. We want the Town to be cleaned up. We don't want to have junk yards and things of this sort. We want those people who are habitually recalcitrant to know that the Town means business. That is basically it. We are not talking about the person who raked their leaves into the street and received a violation and then removed the leaves and thus takes care of the violation. We are talking about the person where it is only when the person is dragged before the Town Board that action is taken. It is only two days before the Town Board hearing that a person says we've cleaned it up now but for five prior years they've gone through the Justice Courts and they've played the system to the hilt. It wastes taxpayer's time, the Town Attorney's time, the Town Board's time. We feel that we would like to see this compliance and most people who receive a violation from the Building Inspector obey the law.

Mr. Feldi said there are many instances where a tenant creates the problem. Supervisor said then you must get rid of the

Continued on Next Page

ABE740

tenant. We cannot use the excuse in Town that it is the tenants that are making the garbage. If that be the case then get rid of the tenants. Mr. Feldi said that is not always that easy. Supervisor said then what you have to do is take the steps to do it. If the landlord is trying to get rid of the violation that's what the Town is looking for. But to simply use the excuse that the tenants are the ones creating the problem - the problem exists. Mr. Feldi said have you ever heard of tenants threatening bodily harm and being armed. Supervisor said if they are threatening bodily harm then you file a complaint in the Justice Court against the individual making the threats. Mr. Feldi said these people go before the Justice Court with these types of offenses and nothing is done. Supervisor said that is why we are here tonight. Mr. Feldi said you are throwing jail terms around here for six months like Nazi Germany. Supervisor reiterated that the Town wants compliance.

There being no one further wishing to be heard on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, LOCAL LAW NO. 5-1987 ADOPTED - with NO of Councilwoman Smith, time: 10:04 P.M.

Respectfully submitted,


Patricia Sheridan,
Town Clerk

(RESOLUTION NO. 380-1987 - LOCAL LAW NO. 5-1987 ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/24/87

10:06 P.M.

Present: Supervisor Holbrook
Council Members Carey, Lettre, Maloney, Smith
John Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: ZONE CHANGE - RS TO R-15 - ROUTE 59 CORRIDOR

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

Town Attorney said he also had the SEQRA report prepared by Robert Geneslaw as agent for the Town Board. Supervisor asked if there was any correspondence from the Planning Board. Town Attorney said the Planning Board was the initiator of this proposed change. Town Attorney said he had not received a report from the Rockland County Planning Board as of today's date.

Supervisor said this was a motion by the Town Board and he asked if there were any comments from the public either for or against or if anyone wished to raise any questions? Town Attorney said it should be noted that the impetus for having this proposed zone change hearing was the Route 59 Corridor Study which suggested that certain properties in the Route 59 Corridor which are presently zoned RS should be changed to R-15 so as to reduce the possibility of commercial development of those parcels and try to keep traffic conditions from worsening. The property is basically located in the vicinity of Dykes Park Road, Nanuet and also on the other side of Route 59 on property being used presently by the Redeeming Love Christian Center.

Appearance: Mr. John Cawley
50 North Lexow Avenue
Nanuet, New York

Mr. Cawley said he is speaking about the property of the old Nanuet Theatre-Go-Round. He asked if the same covenants that covered the access and egress routes will prevail after this? He said they do not want through streets from Route 59 in through their residential areas. That is the main concern and it has been since the property was developed. Does this cover that entire parcel of land including the present building?

Supervisor Holbrook said right now it is zoned Regional Shopping and we are proposing an upzoning to Residential Zoning. He stated the Town Board is attempting to try to reduce traffic with some land use measures and this was one of the ones proposed in a study and that is why it is the subject of this public hearing. There is no developer at this time who wishes to develop that property R-15. Right now the use of a church is one that is expected to continue for the future. This motion on behalf of the Town is the result of a study that was done about a year ago by our Planning Consultants. It was designed to be a measure to try to reduce the impact of traffic onto Route 59 for the future, if the use of that property were to be changed. The present ingress and egress routes will not change. If the property were to change and if some time in the future a developer were to come in and try to develop the property as R-15 that would be up to the Planning Board to determine what the access to the property would be.

Appearance: Ms. Marilyn Hannon
Freund Drive
Nanuet, New York 10954

She stated that her property abuts the property in question. She asked if the zoning were changed to residential would

Continued on Next Page

ABE740

that allow the church at this time to open the gates to be used as an exit? Supervisor said it would stay as it is presently being used. It is only a land use measure for the future. If it were developed would it become a through street? Supervisor said it would be up to the Planning Board at that time. It would also be the result of public hearing at the time.

Town Attorney said the property is owned by the church and they have communicated their desire to continue their use. Under the zoning ordinance which we now have a use of a church in an R-15 zone is of right, a permitted use. So they are going from a non-conforming to a conforming use. They have no intentions of leaving their operation. The gate will not be opened to allow through traffic from the church onto the residential streets.

Appearance: Mr. John Lodico
 2 Birch Lane
 New City, New York

Mr. Lodico spoke about the NIMBY factor is existing in every parcel of land in the Town of Clarkstown. (NIMBY means "Not in My Backyard.") When the Theatre-Go-Round was being considered for construction it was in violation of our building ordinance. At that time it was determined that if there was any way to by-pass or reroute traffic in the Route 59 corridor it was by getting an extraction of land from the property owners which was his proposal at the time and would still be one for the future. He said he could appreciate the residents not wanting anything to come into their street but you are not going to by-pass or remove cars from the Route 59 Corridor unless you make a by-pass road someplace. It has to go through someone's yard and someone's property may have to be obtained for a parallel road on the westerly side of the railroad tracks. A future by-pass is the only way you are going to get traffic off Route 59 going east.

Appearance: Mr. Jerry Gargano
 36 Grandview Avenue
 Nanuet, New York

Mr. Gargano said he was right behind the area being discussed. He said he thought it had been approved that Seaman's Furniture and the other stores were going in. Supervisor said the Seaman's Shopping Center was approved by the Planning Board. That is taken care of. The parcel we are discussing tonight is the Theatre-Go-Round parcel where the church is presently located. If the zone change is granted the use is going to remain the same. He reiterated that there was no developer looking to develop the property as R-15. This is an attempt to reduce traffic onto Route 59 for the future. If this was to be adopted tonight or in a couple of weeks the status will remain the same. The zoning on the map would be different. It would not be RS; it would be R-15 instead.

Appearance: Mr. Al Rossi
 Hutton Avenue
 Nanuet, New York

Mr. Rossi said this was a positive step and he supported it fully. He felt the Board acted in a positive manner a few months ago when it adopted the zone change on his side of Hutton Avenue. He questioned why the Town Board had surgically extracted from the Route 59 Corridor Study these particular properties and has not acted on the entire matter of the full recommendations in those studies. He said there are other parcels recommended by the study that can dramatically increase traffic within the Route 59 Corridor area. He said several weeks ago he discussed with someone that there may be a potential for development within the present zone on Hutton Avenue that would generate three to four hundred cars onto Route 59. He also questioned, if that happened, the seriousness of what is going to be achieved here tonight because most of these

PH - Zone Change - RS to R-15 - Route 59 Corridor
Page 3

properties presently being considered for rezoning are occupied properties. The church is not going to go away and this is a safe zone change because the impact on the present traffic conditions on Route 59 will be zero. He said Dykes Park Road is a stable road with single family houses there and he is unaware of any movement in that area where there is going to be a gathering of the properties or a development in the present RS situation. He felt the Board was acting wisely but had not gone far enough.

Supervisor said our intention is to get these properties done and then to move to do some of the others that are recommended in the study. Once these are out of the way, if the Town Board takes action on them, then we can proceed and implement the study.

Mr. Rossi said what you are doing tonight is positive but the impact is minimal. He said what you can do on the other areas will have a tremendous impact. He said he did not want to see office construction proposals on his street and he would fight that. He went on to say they could never tolerate three or four hundred cars coming out of Hutton Avenue and that needs to be looked at for a rezoning. He said there are other parcels in there that cannot be developed on their present zone. The proposal particularly that was recommended in the study on Middletown Road should be enacted.

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

Mr. Duffy said tonight is again a band aid solution which first took place fifteen or twenty years ago here. He said he didn't know why these two particular sections are being discussed tonight. He said he was afraid that a few years down the road they will find out that some developers have succeeded in coming in through the back door.

Supervisor Holbrook said both of the properties under discussion tonight are zoned Regional Shopping which would allow a use equivalent to the Nanuet Mall to be developed on these properties in the future. Suppose the church were to go out of business then something major could go in there. What the Town Board is saying here is that in the future if these are relegated to residential use of a third of an acre the intensity of traffic that would come off these properties would be much less and would not exacerbate the Route 59 situation more than it could be. On the Dykes Park Road side these single family homes were in a Regional Shopping District and what we are attempting to do is to return those homes back to the residential zone.

Mr. Duffy said he had the impression that what the Town Board is doing with these two pieces of property is trying not to step on anyone's toes. Supervisor said we try not to. Mr. Duffy said the Town Board leans over backward not to tramp on anyone's toes. Mr. Duffy said the church has proved to be a better neighbor than any of the rest of the developers and he hoped they stayed there for another forty years. Supervisor said in the residential zone they will be able to have the church by right. Mr. Duffy said they are good neighbors.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared closed, DECISION RESERVED, time: 10:30 P.M.

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

ABE740