

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

251

Town Hall

4/7/87

8:00 P.M.

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

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

Supervisor Holbrook and the Town Board welcomed the Boy Scouts from Congers.

Supervisor declared the Public Portion open.

Appearance: Pat Nazzaro

He said he opposed the Ramapo garbage coming here. He said we have a valuable asset here in Clarkstown which no other Town has. He said he realized that the Town Board knows the restructure within the outer limits and what we have here is unreasonable. We never heard of figures like \$6.00 a ton for garbage. He said he opposed the rate of \$14.00 a ton. He said they're collecting \$29.00 to \$40.00 a ton for the garbage and we're accepting it down here in Clarkstown making it the dumping area for their garbage and we're not getting paid for it. He said he'd like the Town Board to reconsider unless we have a way of getting rid of our own trash in the near future.

Supervisor Holbrook said the life expectancy of the landfill even if it were fifty years is a moot issue because the State DEC is not going to permit landfills to be in existence very much longer. There will be alternative methods of disposal of solid waste and if the County of Rockland can't decide what to do about it certainly the Towns are going to. In this particular case the garbage coming from Ramapo is baled at the baling station which makes it a lot easier for the Town of Clarkstown landfill to handle it. Additionally, one of the reasons for accepting this has been the willingness of the Town of Ramapo to become the host community for sludge disposal. All things considered the Town of Clarkstown is attempting with the revenue it's receiving from the Town of Ramapo to provide for the eventual closing of the landfill. If Rockland County cannot solve its solid waste problem, the State DEC more than likely will close all the landfills in Rockland County. The Town of Clarkstown is not just going to sit by and let its fate be decided by 21 people in the Rockland County Legislature. He said we're not going to be in a position five years down the road, like the Town of Ramapo, of not having a place to dump garbage and having ourselves be placed in a compromising position. We hope the County solves the problem but if they don't, we're prepared to do it ourselves. Supervisor said if they close everything down right now we're going to have to truck it out of here. The County of Rockland has had the opportunity to make this decision for many years and they fumbled the ball and we're not going to fumble it. Anyone who thinks the landfill is going to be in existence ten years from now is kidding themselves. Five years would be the maximum.

Councilman Carey said in 1992 the game is finished.

Supervisor said they want to close it as soon as 1990. We have the approval of DEC and if the County of Rockland cannot solve this problem in regard to solid waste, we will move forward to solve it on our own.

Appearance: Jack Cuff

He said he had been reading in the paper that we have doubled our input from Ramapo as far as garbage goes, which disturbed him even further. He thought the Town of Clarkstown

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was acting very quickly without benefit of a public hearing or any input from the citizens in the community. I'm sure if the landfill was in Congers, we wouldn't be accepting Ramapo's garbage today.

Supervisor Holbrook said maybe you would like a sludge plant in West Nyack in return for that. If you had a public hearing in West Nyack and asked how many people there would be in favor of a sludge plant, I don't think you'd have too many hands elevated.

Mr. Cuff said I don't think it was determined by Ramapo or Mr. Herb Reisman or even Mr. Charles Holbrook that we would automatically have a sludge facility in West Nyack or any part of Clarkstown for that matter. He said that making a deal with Ramapo was not going to guarantee anything.

Supervisor said that landfilling of garbage is very temporary. The location of garbage plants, if the County ever makes a decision to place one and the location of a sludge plant, is forever.

Mr. Cuff said that when your garbage-to-energy plant comes into existence, if it ever does, are you going to burn washing machines, etc?

Supervisor said we are going to recycle them.

Mr. Cuff asked if you are going to import 220 tons of garbage into West Nyack without having a Public Hearing on it?

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

No one appeared.

RESOLUTION NO. (381-1987)

RECOMMENDING DISTRIBUTION OF
CLARKSTOWN'S SHARE OF
COMMUNITY DEVELOPMENT FUNDS

Co. Carey offered the following resolution:

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

WHEREAS, the County of Rockland has signed agreements with various Towns and Villages within Rockland County, including the Town of Clarkstown, to cooperate in undertaking or assisting Community Development Programs, and

WHEREAS, the Town of Clarkstown is a participant in the 1986/87 Program, and

WHEREAS, the Clarkstown Citizens Advisory Committee, with respect to Community Development Funds, has made certain recommendations for the use of funds available in 1986/87;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts the recommendations of the Citizens Advisory Board and recommends the following distribution of Clarktown's share of Community Development Funds:

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RESOLUTION NO. (381-1987) Continued

<u>RECIPIENT</u>	<u>PROJECT</u>	<u>AMOUNT</u>
Central Nyack Community Center	Addition to multipurpose room.	\$17,000
Association for Retarded Children	Paving for parking at 60 Phillips Hill Road facility.	\$10,000
Rockland Center for the Arts	Removal of architectural barriers in lavatories	\$ 5,000
White Street, Spring Valley	Curbs and sidewalks construction.	\$ 8,000

and be it,

FURTHER RESOLVED, that the amounts set forth above are subject to revisions in accordance with the cooperative agreement referred to above, and that only the amounts actually appropriated shall be provided.

Seconded by Co. Lettre

On roll call the vote was as follows:

Councilman Carey.....Yes
 Councilman Lettre.....Yes
 Councilman Maloney.....Yes
 but abstained on Item #2 only.
 Supervisor Holbrook.....Yes

RESOLUTION NO. (382-1987)

RESOLUTION AND SPECIAL FINDINGS GRANTING A SPECIAL PERMIT TO CONDUCT A LANDFILL OPERATION - MICHAEL BERTOLINO

Co. Maloney offered the following resolution:

WHEREAS, MICHAEL BERTOLINO, has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the operation of a landfill pursuant to the provisions of Section 106-10A, Table 14, Column 13, Item B-3 of the Zoning Ordinance of the Town of Clarkstown for property located on Snake Hill Road, West Nyack, New York, more particularly described on the Clarkstown Tax Map as: Map 90, Block A, Lot 11.04; and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board on the 24th day of March 1987 at 8:05 P.M., to consider such application;

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Section 106-14B of the Zoning Ordinance of the Town of Clarkstown:

That, subject to the limiting conditions as set forth elsewhere herein, the proposed use as described and represented by the applicant:

1. Shall be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;

2. Shall not cause undue traffic congestion or create a traffic hazard;

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RESOLUTION NO. (382-1987) Continued

3. Shall not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;

4. Shall not adversely affect the character of or property values in the area;

5. Shall not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town; and

6. Shall comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a landfill on the above described property is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with all applicable laws and regulations including Section 106-16L of the Zoning Ordinance of the Town of Clarkstown annexed hereto;

2. All fill material shall be clean earth and any substitution shall be approved in writing prior to use by the Director of the Department of Environmental Control. Applicant shall keep a daily written log as to the contents and the source of the fill material, which log shall be open for inspection at all times to personnel of the Town of Clarkstown Department of Environmental Control;

3. Petitioner shall provide a temporary filter barrier prior to dumping any fill material on the site and take all necessary steps to provide erosion control measures as required by the Rockland County Soil and Conservation Service and as approved by the Clarkstown Department of Environmental Control, including but not limited to the protection of storm drains with filter berms and site stabilization measures;

4. The method of placing and compaction of the fill material shall be subject to the prior approval of the Department of Environmental Control for determination and approval;

5. A six (6) foot high chain link fence shall be installed at the New York State Thruway property line and adequate screening shall be provided to prevent vehicular headlights from shining onto the thruway;

6. Applicant's landfill shall comply with the grading plan prepared by Henry Horowitz, Inc., dated September 11, 1986, provided drainage plans are reviewed and approved by the New York State Thruway;

7. Applicant and applicant's engineer shall comply with Section 106-16L (8) and (9) regarding rehabilitation of the site and required performance bond;

8. In the event that the Town Board requires retention of an outside consulting engineering firm at any time during the landfill operations, by acceptance of the Special Permit the applicant agrees to pay the costs of such consultant;

9. In the event that the Town Board or any of its agencies is named as a party defendant in a lawsuit as a result of the landfill operations of the applicant pursuant to the Special Permit, by acceptance of the Special Permit the applicant

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RESOLUTION NO. (382-1987) Continued

agrees to save harmless the Town from any costs of the defense and any expenses which may result from a judgment against the Town of Clarkstown, and be it

FURTHER RESOLVED, that on the basis of the report of the Director of Environmental Control, the Town Board hereby determines that the applicable provisions of the State Environmental Quality Review Act (SEQRA) have been complied with and that there shall be no significant impact on the environment as a result of the proposed action, and that no further processing under SEQRA is required, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (383-1987)

ACCEPTING MINUTES OF TOWN
BOARD MEETINGS OF MARCH 10TH
AND 24TH, 1987

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meetings of March 10th and March 24th, 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
Supervisor Holbrook.....	Yes

RESOLUTION NO. (384-1987)

AUTHORIZING SPECIAL COUNSEL,
(JOEL H. SACHS, ESQ.) RE
FORMATION OF A SANITATION
DISTRICT AND CHARGING
EXPENDITURES TO ACCOUNT NO.
A-1420-409

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown has entered into discussions with the Towns of Orangetown and Ramapo which are expected to lead to the formation of a refuse district or districts, as well as an intermunicipal agreement, for the purpose of planning for the disposal of solid waste in a coordinated manner, and

WHEREAS, the Town Attorney has recommended the Town Board retain special counsel to assist in meeting the legal requirements for the formation of a sanitation district and the intermunicipal agreement providing for same.

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RESOLUTION NO. (384-1987) Continued

NOW, THEREFORE, be it

RESOLVED, the Town Attorney is hereby authorized and directed to obtain the services of Joel H. Sachs, Esq., as special counsel, for the purposes as set forth above, and be it

FURTHER RESOLVED, that special counsel shall be paid at the rate of \$125.00 per hour, plus out of pocket costs and expenses, for services as required, not to exceed \$10,000.00, and be it

FURTHER RESOLVED, that expenditures pursuant to this resolution shall be charged to Account No. A-1420-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (385-1987)

RESCINDING RESOLUTION NO.
328-1987 (DEUTSCH) MAP 120,
BLOCK H, LOT 11

Co. Lettre offered the following resolution:

WHEREAS, Resolution No. 328 was adopted at the Town Board meeting of March 24, 1987, authorizing the Assessor and Receiver of Taxes to levy expenses incurred for the cost of a Chapter 79 proceeding against MAP 120, BLOCK H, LOT 11, and

WHEREAS, the expenses incurred have been paid;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 328 is hereby rescinded.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (386-1987)

SETTING PUBLIC HEARING AND
REFERRING TO TOWN AND COUNTY
PLANNING BOARDS SPECIAL PERMIT
TO CONDUCT LANDFILL OPERATION
(LEDERLE LABORATORIES)

Co. Maloney offered the following resolution:

WHEREAS, LEDERLE LABORATORIES, Division of American Cyanamid Company, with offices at 1 Berdan Avenue, Wayne, New Jersey, as property owner has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation for property located on South Middletown Road, Nanuet, New York, designated on the Clarkstown Tax Map as Map 3, Block A, Lot 1, pursuant to Chapter 106-10A, Table 14, Column 3, Item B-3 of the Zoning Ordinance of the Town of Clarkstown;

RESOLUTION NO. (386-1987) Continued

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 12th day of May, 1987 at 8:25 P.M., to consider the application of LEDERLE LABORATORIES, relative to said Special Permit, and be it

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

FURTHER RESOLVED, that this application be referred to the Clarkstown Planning Board pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and the Rockland County Planning Board pursuant to Sections 239-1 and 239-m of the General Municipal Law for study and report, and the following agencies for comment or study and report on or before May 4, 1987:

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

and be it

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

FURTHER RESOLVED, that on or before the date set for the public hearing, the applicant file written proof with the Town Clerk that the person signing the petition has been authorized to make the application on behalf of the property owner.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (387-1987)

AUTHORIZING VARIOUS OFFICIALS
TO ATTEND THE SEVENTH ANNUAL
ROCKLAND COUNTY YOUTH FORUM
AND AWARDS DINNER, MAY 7,
1987, TAPPAN ZEE TOWN HOUSE

Co. Maloney offered the following resolution:

WHEREAS, the following are authorized to attend the Seventh Annual Rockland County Youth Forum and Awards Dinner on Thursday, May 7, 1987 at the Tappan Zee Town House, Nyack, New York:

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RESOLUTION NO. (387-1987) Continued

- Supervisor and Town Council
- Town Clerk
- Chief of Police and his designees
- Superintendent of Recreation and Parks and his designees
- Members of the Clarkstown Recreation Commission
- Clarkstown Counseling Center Director and her designees
- Youth Commission Chairman
- Director of Finance
- Town Attorney

RESOLVED, that all expenses are not to exceed \$15.00 per attendee and be charged to Appropriations Account #A1010-414.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (388-1987)

AUTHORIZING USE OF THE SOUTH PORTION OF THE CLARKTOWN TOWN HALL PARKING LOT BY THE AMERICAN LEGION, MAY 25, 1987

Co. Lettre offered the following resolution:

RESOLVED, that the William E. DeBevoise, Jr., Post 1682, American Legion, is hereby authorized to use the south portion of the Clarkstown Hall parking lot on Monday, May 25, 1987 from 8:00 A.M. to 12:00 Noon, for the purpose of distributing refreshments to school children after the Memorial Day Parade and services.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (389-1987)

ACCEPTING DEEDS FOR ROAD WIDENING FROM CARROLLS CORP. IN CONNECTION WITH BURGER KING

Co. Maloney offered the following resolution:

RESOLVED, that deed dated February 3, 1987, from CARROLLS CORPORATION for road widening purposes along Main Street, New City, New York, in connection with BURGER KING, is hereby accepted upon the recommendation of the Department of Environmental Control and the Town Attorney and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Carey

On roll call the vote was as follows:

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RESOLUTION NO. (389-1987) Continued

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

RESOLUTION NO. (390-1987)

ACCEPTING DEED FOR ROAD
WIDENING (GUY P. PLASSART AND
DOROTHY A. PLASSART) ALONG
GOEBEL ROAD, NEW CITY

Co. Maloney offered the following resolution:

RESOLVED, that deed dated March 13, 1987, from GUY P. PLASSART and DOROTHY A. PLASSART for road widening purposes along Goebel Road, New City, New York, in connection with ZBA Appeal No. 2018, is hereby accepted upon the recommendation of the Department of Environmental Control and the Town Attorney and ordered recorded in the Rockland County Clerk's Office upon receipt of continuation report of clear title to date of recording.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (391-1987)

ESTABLISHING OPEN DEVELOPMENT
AREA (280-a(4)) MAP 122, BLOCK
C, LOT 4.01 AND GRANTING
PERMISSION FOR SUBDIVISION
PURSUANT TO TOWN LAW SECTION
281 (ROCKRIDGE)

Co. Maloney offered the following resolution:

WHEREAS, an application has been made to the Planning Board of the Town of Clarkstown for development of premises known and designated on the Clarkstown Tax Map as Map 122, Block C, Lot 4.01, to permit the construction of sixteen (16) fee owned town houses with common areas under the control of a homeowners' association, and

WHEREAS, the Planning Board has recommended that the Town Board grant approval, pursuant to Town Law Section 280-a(4) and Town Law Section 281, of a proposed subdivision entitled, "Density Layout, Subdivision for Rockridge, prepared by Atzl and Scatassa Associates, P.C., dated February 4, 1985, last revised February 9, 1987," which provides for the development of sixteen (16) fee owned town houses for premises located on Route 303, Valley Cottage, New York, with a common area of approximately 10.17 acres intended to be under the control of a homeowners' association, and

WHEREAS, the Town Board of the Town of Clarkstown favors the development of the premises as presently planned and referred to above, and

WHEREAS, the Town Board by this resolution intends to grant permission for further processing of this application

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RESOLUTION NO. (391-1987) Continued

before the Planning Board of the Town of Clarkstown pursuant to the provisions of Town Law Section 281 and to further create an open development area pursuant to the provisions of Town Law Section 280-a(4) to provide that building permits may be issued for the construction of the town houses although they shall not directly front on a Town owned or maintained road;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law and pursuant to the recommendations of the Town of Clarkstown Planning Board, the Town Board hereby establishes an "open development area" for property situate on the east side of Route 303 and the north side of Storms Road, Valley Cottage, New York, which is intended to be developed with town houses having access only by right-of-way which property is more specifically designated on the Clarkstown Tax Map as Map 122, Block C, Lot 4.01, consisting of 11.7 acres, which property may be developed as a result of application of A.O.R. Developers, Inc. (Rockridge Estates), presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any building permit the following conditions shall be met by the record owner:

1. The "open development area" shall consist of the right-of-way and common areas as shown on a proposed subdivision plat entitled, "Density Layout, Subdivision of Property for Rockridge, prepared by Atzl and Scatassa Associates, P.C., dated February 6, 1985, last revised February 9, 1987," for which building permits or certificates of occupancy may be issued for not more than sixteen (16) town house units subject to obtaining final site plan and any required approval of the Clarkstown Planning Board, for which access to said dwellings is to be given by the private right-of-way or easement;

2. The applicant shall obtain the review and approval of the proposed access, any required drainage improvements and the sewer system, including any desirable connections to Storms Road, from the Department of Environmental Control prior to final site plan approval;

3. Applicant, prior to final site plan approval, shall contribute monies for money-in-lieu-of-land as agreed;

4. Prior to final approval, applicant shall provide evidence that subject premises is in a water district or applicant has petitioned the Town Board for the creation or extension of a water district;

5. Prior to final approval, applicant shall secure separate tax lot numbers for all dwelling units and open areas;

6. Prior to final approval, applicant shall secure in writing a statement from the Congers-Valley Cottage Ambulance Corps and the Fire District servicing the area that the proposed right-of-way will provide sufficient emergency access;

7. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenant which shall run with the land in a form acceptable to the Town Attorney and which shall be recorded in the Rockland County Clerk's Office, which Declaration shall contain the following Declaration and Covenants:

(A) That the property owner acknowledges that access to the nearest public road has been obtained by private easement or right-of-way, and that the property owners shall not receive any municipal services consisting of road maintenance and

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RESOLUTION NO. (391-1987) Continued

resurfacing, snow removal or sanding, pothole repair, or other similar services which are provided to residents of the Town of Clarkstown whose properties front on a public road;

(B) That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein;

(C) That the fee ownership of the common areas and right-of-way shall be in a homeowners' association duly formed with the responsibility for property maintenance and landscaping;

(D) That the Declaration shall contain provisions for regular maintenance, repair, snow plowing and other necessary services on the right-of-way and other common element areas by the homeowners' association;

(E) That the certificate of occupancy issued for any fee units within the site plan or subdivision boundaries shall be conditioned upon observance and subject to the Declaration of Covenants herein required;

(F) That in the event the property owner(s) at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the private right-of-way or easement as a public street, such owner(s) or board of directors of the homeowners' association shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown any interest of the property owner in this easement or right-of-way and any property adjacent thereto to accomplish the widening of the easement or right-of-way to the then existing standards for public roads, and said owner(s) shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed against the homeowners' association or fee units in accordance with the provisions of Town Law;

8. That any site plan or subdivision map approved by the Planning Board shall contain a note referring to the resolution establishing the "open development area" by date and number, which site plan or map note shall also state that the issuance of building permits and certificates of occupancy are subject to compliance with the Declaration of Covenants herein required, and be it

FURTHER RESOLVED, that the Town Board hereby GRANTS permission to develop the property pursuant to Town Law Section 281 provided that no modifications or alterations of the proposed subdivision referred to above shall be made unless a prior approval of the Town Board is obtained, and be it

FURTHER RESOLVED, that the authority to process the proposed subdivision pursuant to Town Law Section 281 and Town Law Section 280-a(4) is conditioned upon the applicant agreeing to develop the site with town houses in fee simple ownership.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (392-1987)

AMENDING RESOLUTION NO.
320-1987 AWARDDING BID FOR BID
#25-1987 THREE (3) 1987 FORD
F150 PICK-UP TRUCKS
(PLEASANTVILLE FORD, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that Town Board Resolution No. 320-1987 is hereby amended to read as follows:

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 \$10,100 for 1987 Ford F150 Styleside Pick-up Trucks per bid specifications.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (393-1987)

AWARDDING BID FOR BID #29-1987
LABORATORY TESTING SERVICES
(LABORATORY RESOURCES, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendations of the Director of D.E.C. and the Director of Purchasing that:

BID #29-1987
LABORATORY TESTING SERVICES

is hereby awarded to:

LABORATORY RESOURCES, INC.
363 Old Hook Road
Westwood, NJ 07675

as per their low bid proposal attached, and be it

FURTHER RESOLVED, that this award is subject to the receipt by the Director of Purchasing of the required Certificate of Liability and Worker's Compensation Insurance coverages.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (394-1987)

AWARDING BID FOR BID #34-1987
SECURITY GUARD SERVICE FOR
TOWN PARKS (JUSTICE SECURITY
SERVICES, 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 that

BID #34-1987
SECURITY GUARD SERVICE FOR TOWN PARKS

is hereby awarded to:

JUSTICE SECURITY SERVICES, INC.
421 E. Route 59
Suite 8
Nanuet, NY 10954

as per their low bid proposal of \$8.60 per guard, per hour.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (395-1987)

AWARDING BID FOR BID #23-1987
ARTS & CRAFTS SUPPLIES (I.M.C.
MANAGEMENT, INC.; ECONOMY
HANDICRAFTS; VANGUARD CRAFTS;
S & S ARTS & CRAFTS; J & A
HANDY-CRAFTS, INC.; A+
DISCOUNT DISTRIBUTORS;
CREATIVE CRAFTS)- CHARGE TO
ACCOUNTS 7141-329, 7310-329
AND 7610-329

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the
Director of Purchasing and in concurrence with the Superintendent
of Recreation and Parks, that the bid for furnishing Arts &
Crafts supplies is hereby awarded to the following low bidders
who have met the specifications:

1. I.M. C. MANAGEMENT, INC., a subsidiary of
Innovation Marketing Corporation (Delaware), 55
Railroad Avenue, Garnerville, N.Y. 10923, Telephone -
(914) 429-2102.
2. ECONOMY HANDICRAFTS, 5021 69th Avenue, Woodside,
N.Y. 11377, Telephone (718) 426-1600.
3. VANGUARD CRAFTS, 1701 Utica Avenue, Brooklyn, NY
11234, Telephone (718) 377-5188.
4. S & S ARTS & CRAFTS, Colchester, Connecticut,
06415, Telephone (203) 537-3451.
5. J & A HANDY-CRAFTS, INC., 210 Front Street,
Hempstead, NY 11550, Telephone (516) 292-1220.

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RESOLUTION NO. (395-1987) Continued

6. A+ DISCOUNT DISTRIBUTORS, 300 Airport Executive Park, Spring Valley, NY 10977, Telephone (914) 356-7900.

7. CREATIVE CRAFTS, 16 Plains Road, Essex, Ct. 06426, Telephone (203) 767-2101.

GROSS TOTAL OF ALL ITEMS \$27,113.50

and be it

FURTHER RESOLVED, that this amount be charged against accounts:

7141-329	\$	5,091.30
7310-329		9,551.98
7610-329		12,470.22

and be it

FURTHER RESOLVED, that no bid was awarded to items #280, 284, 77.

(Complete Schedule on File in Town Clerk's Office.)

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (396-1987)

AWARDING BID FOR BID #37-1987
REPAIRS TO MICHIGAN LOADER
(EQUIPCO SALES & RENTAL CORP.)

Co. Maloney offered the following resolution:

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

BID #37-1987
REPAIRS TO MICHIGAN LOADER

is hereby awarded to

EQUIPCO SALES & RENTAL CORP.
125 Davidson Avenue
Somerset, NJ 08873

as per their proposed cost of \$16,000.00.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (397-1987)

AWARDING BID FOR BID #30-1987
IMPROVEMENT & MAINTENANCE OF
TOWN CUL-DE-SACS INCLUDING
TULIP DRIVE (IRA WICKES, INC.)

Co. Maloney offered the following resolution:

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

BID #30-1987
IMPROVEMENT & MAINTENANCE OF TOWN
CUL-DE-SACS INCLUDING TULIP DRIVE

is hereby awarded to:

IRA WICKES, INC.
11 McNamara Road
Spring Valley, NY 10977

as per their low bid proposal of \$26,358.18, and be it

FURTHER RESOLVED, that this award is subject to the
receipt of

- a) Certificate of Insurance in amount specified in bid specs
- b) Executed Save Harmless Agreement
- c) Certificate of Worker's compensation coverage.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (398-1987)

DECREASING DA 909 (FUND
BALANCE) AND INCREASE
ESTIMATED REVENUE ACCOUNT NO.
04-202999 (UNEXPENDED BALANCE)
AND APPROPRIATION ACCOUNT NO.
DA 5130-219 (HIGHWAY-MISC.
EQUIPMENT) AND INCREASE
ESTIMATED REVENUE ACCOUNT NO.
01-003005 (MORTGAGE TAX) AND
APPROPRIATION ACCOUNT NO. A
9961-910 (TRANSFER TO HIGHWAY
FUND)

Co. Carey offered the following resolution:

WHEREAS, it is necessary for the Highway Department
to Purchase heavy duty equipment, and be it

RESOLVED, to decrease DA 909 (Fund Balance) by
\$45,050 and increase Estimated Revenue Account No. 04-202999
(Unexpended Balance) and Appropriation Account No. DA 5130-219
(Highway-Misc. Equipment) by \$45,050, and be it

FURTHER RESOLVED, to increase Estimated Revenue
Account No. 01-003005 (Mortgage Tax) and Appropriation Account
No. A 9961-910 (Transfer to Highway Fund) by \$181,000 and
transfer same to the Highway Fund.

Continued on Next Page

ABE740

RESOLUTION NO. (398-1987) Continued

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (399-1987) DECREASING CONTINGENCY ACCOUNT
NO. A 1990-505 AND INCREASING
APPROPRIATION ACCOUNT NUMBERS:
A 8511-409 (COMMUNITY
BEAUTIFICATION-FEES FOR
SERVICES) AND A 8511-412
(COMMUNITY
BEAUTIFICATION-REFUSE)

Co. Carey offered the following resolution:

RESOLVED, to decrease Contingency Account No. A
1990-505 by \$235 and increase the following Appropriation Account
Numbers:

A 8511-409 (Community Beautification-Fees for Services).....\$100
A 8511-412 (Community Beautification-Refuse).....\$135.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (400-1987) INCREASING ESTIMATED REVENUE
ACCOUNT 01-002680 (INSURANCE
RECOVERIES) AND APPROPRIATION
ACCOUNT A 3120-203 (MOTOR
VEHICLES)

Co. Carey offered the following resolution:

RESOLVED, to increase Estimated Revenue Account
01-002680 (Insurance Recoveries) and Appropriation Account A
3120-203 (Motor Vehicles) by \$3922.50.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (401-1987) DECREASING APPROPRIATION
ACCOUNT A 3120-110 (SALARIES)
AND INCREASING APPROPRIATION
ACCOUNT A 3120-203 (MOTOR
VEHICLES)

RESOLUTION NO. (401-1987) Continued

RESOLVED, to decrease Appropriation Account A 3120-110 (Salaries) and increase Appropriation Account A 3120-203 (Motor Vehicles) by \$9500.00

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (402-1987) DECREASING APPROPRIATION
ACCOUNT NO. A 1420-211 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1420-328

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1420-211 and increase Appropriation Account No. A 1420-328 by \$89.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (403-1987) AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #46-1987 (WASHED
SAND AND GRAVEL)

Co. Maloney offered the following resolution:

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

BID #46-1987
WASHED SAND AND GRAVEL

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 8, 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. Carey

On roll call the vote was as follows:

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

ABE740

RESOLUTION NO. (404-1987)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #47-1987
(CHEMICALS)

Co. Maloney offered the following resolution:

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

BID #47-1987
CHEMICALS

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, May 4, 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. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (405-1987)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #48-1987
(BITUMINOUS MATERIALS FOR
SURFACE TREATMENT OF ROADS)

Co. Maloney offered the following resolution:

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

BID #48-1987
BITUMINOUS MATERIALS FOR SURFACE TREATMENT OF ROADS

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, May 5, 1987, at which time bids will be opened and read,
and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (406-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #49-1987 (TIRES
AND TUBES)

RESOLUTION NO. (406-1987) Continued

Co. Maloney offered the following resolution:

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

BID #49-1987
TIRES & TUBES

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 Thursday, April 30, 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. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (407-1987)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #50-1987 (SALES OF SURPLUS EQUIPMENT)

Co. Maloney offered the following resolution:

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

BID #50-1987
SALES OF SURPLUS EQUIPMENT

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

On roll call the vote was as follows:

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

RESOLUTION NO. (408-1987)

SETTING A PUBLIC HEARING AND REFERRING ZONE CHANGE PETITION TO THE CLARKSTOWN AND COUNTY PLANNING BOARDS (PAUL P., JOHN A. AND JOSEPH P. GUARINO)

Co. Maloney offered the following resolution:

Continued on Next Page

ABE740

RESOLUTION NO. (408-1987) Continued

WHEREAS, PAUL P., JOHN A., and JOSEPH P. GUARINO, have petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by petitioners, from a CS DISTRICT to an RS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 120, Block A, Lot(s) 23, 26 and 74;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 12th day of May, 1987, at 8:05 P.M., relative to the proposed amendment, and be it

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

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (409-1987)

SETTING A PUBLIC HEARING AND
REFERRING ZONE CHANGE PETITION
TO THE CLARKSTOWN AND COUNTY
PLANNING BOARDS (RALPH M.
RICHART, M.D.)

Co. Maloney offered the following resolution:

WHEREAS, RALPH M. RICHARD, M.D., has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner from an LO District to an R-22 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 78, Block A, Lot 18.01;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (409-1987) Continued

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

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 26th day of May, 1987, at 8:05 P.M., relative to the proposed amendment, and be it

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

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (410-1987)

SETTING A PUBLIC HEARING AND REFERRING PETITION FOR SPECIAL PERMIT TO CONDUCT A RESTAURANT ACCESSORY TO OFFICE USES TO THE TOWN AND COUNTY PLANNING BOARDS (OLORI BROTHERS)

Co. Maloney offered the following resolution:

WHEREAS, OLORI BROTHERS, a partnership, has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a restaurant accessory to office uses pursuant to the provisions of Section 106-10A, Table of General Use Regulations, L10 District, Column 3, Section B, Paragraph 6 of the Zoning Ordinance of the Town of Clarkstown, subject to the conditions set forth in Section 106-14 and 106-16Q of said ordinance, for property located on the west side of Seeger Drive, and the north side of West Nyack Road, Nanuet, New York, and designated on the Clarkstown Tax Map as: Map 33, Block B, Lot 20.0501;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 12th day of May, 1987, at 8:10 P.M. to consider the application of OLORI BROTHERS, relative to said Special Permit, and be it

ABE740

RESOLUTION NO. (410-1987) Continued

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

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

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (411-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM MAINTENANCE WORK ALONG DEMAREST KILL STREAM IN NEW CITY

Co. Maloney offered the following resolution:

RESOLVED, that the Highway Superintendent, John O'Sullivan, is authorized to perform the necessary maintenance along the Demarest Kill Stream in New City, and be it

FURTHER RESOLVED, the Director of Environmental Control, Leslie Bollman, is authorized to indicate the areas that need to be addressed.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (412-1987)

CANCELLATION OF LIS PENDENS RE CHAPTER 31 PROCEEDING (KIGLER)

Co. Maloney offered the following resolution:

RESOLVED, that 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 43, BLOCK F, LOT 12 has been corrected, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$215.00 shall be paid to reimburse the Town for the cost of service of process, records search, stenographic services and all other expenses including attorney's time.

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RESOLUTION NO. (412-1987) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (413-1987) GRANTING PERMISSION FOR A FIREWORKS DISPLAY

Co. Maloney offered the following resolution:

RESOLVED, that permission is hereby granted for a fireworks display to be held by the Clarkstown Parks Board and Recreation Commission at the Nanuet High School at approximately 8:30 P.M., on Thursday, July 2, 1987, pursuant to Section 405 of the Penal Law.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (414-1987) SETTING A PUBLIC HEARING REGARDING CONDEMNATION OF PROPERTY NOW OR FORMERLY OWNED BY BOSCO

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown shall hold a public hearing pursuant to the Eminent Domain Procedure Law to consider the proposed acquisition by condemnation of property for municipal purposes which is located on the southwest corner of Demarest Avenue and Route 304, New City, New York, consisting of approximately .563 acres and designated on the Clarkstown Tax Map as Map 57, Block J, Lot 1, which public hearing shall be held on the 9th day of June, 1987 at 8:05 P.M., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and be it

FUTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare and serve notice of such statutory hearing and that the Town Clerk cause same to be published on at least five consecutive days in the official newspaper of the Town of Clarkstown as required by law and to file proof thereof in the Office of said Town Clerk.

Seconded by Co. Carey

On roll call the vote was as follows:

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

ABE740

RESOLUTION NO. (417-1987) Continued

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

RESOLUTION NO. (418-1987)	ACCEPTING DEVELOPER'S INDEMNIFICATION AGREEMENT - TWIN POND ACRES
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Co. Maloney offered the following resolution:

WHEREAS, AFCO DEVELOPMENT CORP., an applicant for subdivision of property entitled "Twin Pond Acres, Valley Cottage, New York" (Map 124, Block A, Lot 1) has obtained the approval of the Planning Board for the filing of same and a waiver due to extenuating circumstances from the obligation of providing a title report showing clear title to the date of filing, and

WHEREAS, the property owners have properly endorsed the map and provided an indemnification agreement which is satisfactory to the Town Attorney to secure compliance with the subdivision regulations as soon as practicable;

NOW, THEREFORE, be it

RESOLVED, that an agreement dated April 6, 1987, between AFCO DEVELOPMENT CORP., CHARLES LAFASCIANO, as developer, and the Town of Clarkstown is hereby accepted and the Supervisor is hereby authorized to accept same on behalf of the Town, and be it

FURTHER RESOLVED, that this resolution be retroactive to April 6, 1987.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (419-1987)	ACCEPTING ROAD(S) AND IMPROVEMENTS - SOUTH OF THE MOUNTAIN, SECTION III (ROBERTS ROAD AND QUARRY DRIVE)
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Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of Environmental Control, and the Town Attorney of the Town of Clarkstown, deed(s) from South of the Mountain Village, Ltd., dated November 11, 1986, conveying road(s) and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of SOUTH OF THE MOUNTAIN, SECTION III, filed in the Rockland County Clerk's Office on June 16, 1983, in Book No. 100, at Page 36 as Map No. 5504, as follows:

ROBERTS ROAD	1,920 L.F.
QUARRY DRIVE	125 L.F.

Continued on Next Page

ABE740

RESOLUTION NO. (419-1987) Continued

is (are) 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 road(s) and improvements for a period of one (1) year, with security posted by the developer in the amount of \$6,050.00 is hereby accepted, and be it

FURTHER RESOLVED, that the written guarantee with security posted by the developer in the sum of \$3,000.00 for the completion of certain items is hereby accepted.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (420-1987)

GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 OF CODE OF CLARKSTOWN - (KEVIN STOKES EXCAVATING, INC.

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:

KEVIN STOKES EXCAVATING, INC.
52 Grotke Road
Spring Valley, New York 10977

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 87-18 issued to Kevin Stokes Excavating, Inc.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (421-1987)

GRANTING CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 OF CODE OF CLARKTOWN (J & R D'ONOPRIO PLUMBING & HEATING, INC.)

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:

RESOLUTION NO. (421-1987) Continued

J & R D'ONOFRIO PLUMBING & HEATING, INC.
35 West Street
Spring Valley, New York 10977

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of
Registration be issued:

No. 87-12 issued to J & R D'Onofrio Plumbing &
Heating, Inc.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (422-1987)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF CODE OF
CLARKSTOWN (A.F.K. TRUCKING &
EXCAVATING, INC.)

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:

A.F.K. TRUCKING & EXCAVATING, INC.
55 Third Street
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of
Registration be issued:

No. 87-17 issued to A.F.K. Trucking & Excavating, Inc.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (423-1987)

AUTHORIZING TOWN CLERK TO
ACCEPT BROWN'S RIVER BINDERY,
INC. PROPOSAL - CHARGE TO
ACCOUNT NO. A 1410-328

Co. Carey offered the following resolution:

WHEREAS, the Town Clerk has advised that there are
remaining a number of record books maintained in the Town Clerk's
Office which are in need of rebinding, repair and other
restoration for their preservation, and

ABE740

RESOLUTION NO. (427-1987) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Valley Cottage Fire Department, Lake Road, Valley Cottage and Peter Brega, Inc., school bus transportation company has requested the Clarkstown Highway Department to improve the turning radius at the newly installed traffic signal, New Lake Road at Kings Highway, Valley Cottage,

NOW, THEREFORE, be it

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

Kings Highway

n/b - relocate existing stop line 15 ft. south (pavement marking) install "Stop Here on Red" sign at new location.

s/b - relocate existing stop line 78 ft. north (pavement parking) install "Stop Here on Red" sign at new location.

Install pedestrian crosswalk pavement markings at Pedestrian push-button - New Lake Road and Kings Highway

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (428-1987)

ACCEPTING DEED - W. CLARKSTOWN ROAD - PALEN TO THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

RESOLVED, that deed dated January 6, 1987, between RAYMOND C. PALEN and the Town of Clarkstown for road widening purposes along West Clarkstown Road, New City, New York in connection with ZBA Appeal No. 1988, is hereby accepted upon the recommendation of the Department of Environmental Control and the Town Attorney, and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (429-1987)

AUTHORIZING PAYMENT FOR ADDITIONAL ENGINEERING SERVICES (ROUTE 45 TUNNEL BY-PASS ROAD PROJECT) TO HENRY HOROWITZ - CHARGE TO BOND CAPITAL ACCOUNT NO. 2

RESOLUTION NO. (429-1987) Continued

Co. Carey offered the following resolution:

WHEREAS, by resolution dated October 14, 1986, Henry Horowitz, P.E., was retained by the Town of Clarkstown to provide engineering, surveying and construction management services for the Route 45 Tunnel By-Pass Road Project, and

WHEREAS, by agreement dated October 29, 1986, Henry Horowitz, Inc. was authorized for a fee not to exceed \$100,000 to perform the services referred to above, and

WHEREAS, the agreement specifically excludes services in the nature of test borings and such services were required, and

WHEREAS, the Director of Environmental Control recommends that the contract referred to herein be amended to authorize test borings which were necessary south of Smith Road and to reimburse the consultant the sum of \$10,000 as a pre agreed fee;

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is hereby authorized on behalf of the Town of Clarkstown to approve payment to Henry Horowitz, P.E., of the sum of \$10,000 for test borings as described in a memorandum of the Director of Environmental Control dated April 6, 1987, and be it

FURTHER RESOLVED, that the amount paid pursuant to this resolution be charged to Bond Capital Account No. 2.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (430-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM DRAINAGE MAINTENANCE WORK RE VARIOUS AREAS

Co. Maloney offered the following resolution:

WHEREAS, various areas of Clarkstown require maintenance due to the rain storm of March 31, 1987, and be it

RESOLVED, that the Superintendent of Highways is directed and authorized to perform drainage maintenance on these areas.

Seconded by Co. Carey

On roll call the vote was as follows:

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

(List of various areas requiring maintenance on file in the Town Clerk's Office.)

ABE740

RESOLUTION NO. (431-1987)

REFERRING PETITION TO
CLARKSTOWN PLANNING BOARD FOR
CHANGE OF ZONE -FROM AN R-22 TO
AN MF-3 DISTRICT ON MAP 35,
BLOCK A, LOTS 8, 9, 10, 10.01,
11, 12, 13 and 14 - COLUCCI

Co. Carey offered the following resolution:

WHEREAS, a petition dated January 8, 1987, requests the rezoning of premises located on Route 304, Bardonia, New York, designated on the Clarkstown Tax Map as Map 35, Block A, Lot 10, from an R-22 district to an MF-3 district, and the parcel is approximately 1.33 acres in size and is adjacent to several other parcels of more or less the same size, and

WHEREAS, should rezoning of the subject parcel be considered, it may be appropriate to consider rezoning the adjacent parcels;

NOW, THEREFORE, be it

RESOLVED, that the Petition of JOHN A. COLUCCI, DONALD F. COLUCCI and GERALD D. COLUCCI, is hereby referred to the Planning Board of the Town of Clarkstown for its report and recommendation regarding rezoning of the parcel described therein from an R-22 district to an MF-3 district and also to consider the possibility of rezoning parcels designated on the Clarkstown Tax Map as Map 35, Block A, Lots 8, 9, 10, 10.01, 11, 12, 13 and 14 from an R-22 district to an MF-3 district, and be it

FURTHER RESOLVED, that the report and recommendation requested herein shall be submitted to the Town Board no later than April 30, 1987, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (432-1987)

AUTHORIZING THE TOWN TO
PARTICIPATE IN PROGRAM -
PLANTING OF SEEDLINGS

Co. Maloney offered the following resolution:

WHEREAS, the American Forestry Association has a "famous and historic tree grove" package which consists of 10 seedlings of historic trees, such as trees originally planted by Jefferson or Washington,

NOW THEREFORE, be it

RESOLVED, that it is the desire of the Town Board to participate in this program and accept the package of 10 seedlings, to be planted on appropriate Town locations, and be it

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Page 33

RESOLUTION NO. (432-1987)

FURTHER RESOLVED, that this program be under the jurisdiction of the Town of Clarkstown Parks Board and Recreation Commission, with the assistance of the Clarkstown Bicentennial Commission, and be it

FURTHER RESOLVED, that the maintenance and care of these seedlings be deemed an appropriate Town charge.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (433-1987)

ACCEPTING RESIGNATION OF GARY BREEDEN (DOG CONTROL OFFICER) - POLICE DEPARTMENT

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Gary Breeden, 110 N. Greenbush Rd., W. Nyack, New York 10994, - Dog Control Officer (Trainee) - Police Department - is hereby accepted - effective and retroactive to March 28, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (434-1987)

RECOGNIZING APPOINTMENT OF JOANNE PANTALE BY POLICE COMMISSION AS SUBSTITUTE CROSSING GUARD

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Joanne Pantale, 950 Gilchrest Road, Valley Cottage, New York, as Substitute Crossing Guard - Police Department - effective and retroactive to March 16, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (435-1987)

APPOINTING EILEEN A. WASSERMAN BY THE POLICE COMMISSION AS A SUBSTITUTE CROSSING GUARD

Co. Maloney offered the following resolution:

ABE740

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RESOLUTION NO. (435-1987) Continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Eileen A. Wasserman, 140 W. Clarkstown Road, Spring Valley, New York, as Substitute Crossing Guard - Police Department - effective and retroactive to March 16, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (436-1987) APPOINTING TO POSITION OF
ASSISTANT AUTOMOTIVE MECHANIC -
SEWER DEPARTMENT - GRADE 22
(KENNETH B. POLOS)

Co. Maloney offered the following resolution:

RESOLVED, that Kenneth B. Polos, 42 Indian Drive, West Nyack, New York, is hereby appointed to the position of Assistant Automotive Mechanic - Sewer Department - (Grade 22) - at the annual 1987 starting salary of \$18,626.00, effective and retroactive to April 6, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (437-1987) CERTIFYING THE POSITION OF DATA
ENTRY OPERATOR I (PART-TIME) -
PERSONNEL DEPARTMENT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 3, 1987, that the position of Data Entry Operator I (Part-Time) - Temporary (6 months) - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Data Entry Operator I (Part-Time) - Temporary (6 months) - Personnel Department - is hereby created effective April 8, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (438-1987)

APPOINTING TO POSITION OF
(TEMPORARY) PART-TIME - DATA
ENTRY TERMINAL OPERATOR #1 -
PERSONNEL DEPARTMENT (GILDA
DONOVAN)

Co. Maloney offered the following resolution:

RESOLVED, that Gilda D. Donovan, 271 Cottage Road,
Valley Cottage, New York, is hereby appointed to the position of
(Temporary) Part-Time - Data Entry Terminal Operator #1 -
Personnel Department - at the current 1987 hourly rate of \$7.46 -
effective April 8, 1987 - for a period not to exceed six (6)
months.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (439-1987)

APPOINTING TO POSITION OF
GROUNDWORKER (PERMANENT)-
PARKS BOARD AND RECREATION
DEPARTMENT (JAMES F. BACCAGLINI)

Co. Maloney offered the following resolution:

RESOLVED, that James F. Baccaglino, 11 Cypress Street,
New City, New York, is hereby appointed to the position of
Groundworker (Permanent) - Parks Board and Recreation Dept. at
the current 1987 annual salary of \$15,672.00, effective April 6,
1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (440-1987)

APPOINTING TO POSITION OF
(PROVISIONAL) SENIOR ACCOUNT
CLERK TYPIST - PARKS BOARD AND
RECREATION DEPARTMENT (MADELINE
NIGRO)

Co. Maloney offered the following resolution:

RESOLVED, that Madeline Nigro, 13 Acorn Terrace, New
City, New York, is hereby appointed to the position of
(Provisional) Senior Account Clerk Typist - Parks Board and
Recreation Department (to fill vacancy created by Katherine
Pritchard)- at the current 1987 annual salary of \$22,366.00,
effective March 30, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Continued on Next Page

ABE740

RESOLUTION NO. (440-1987) Continued

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

RESOLUTION NO. (441-1987) APPOINTING TO POSITION OF
ASSISTANT MAINTENANCE
SUPERVISOR (GROUNDS) - PARKS &
RECREATION DEPARTMENT (RICHARD
TIGUE)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #86312 - Assistant
Maintenance Supervisor (Grounds) - Parks & Recreation Department,
which contains the name of Richard Tigue,

NOW, THEREFORE, be it

RESOLVED, that Richard Tigue, 58 Parker Avenue, New
City, New York, is hereby appointed to the position of Assistant
Maintenance Supervisor (Grounds) - Parks & Recreation Department
- at the current 1987 annual salary of \$29,864.00, effective
March 24, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (442-1987) APPOINTING TO POSITION OF
RECREATION LEADER - PARKS BOARD
AND RECREATION DEPARTMENT
(SUZANNE HUNTER)

Co. Maloney offered the following resolution:

RESOLVED, that Suzanne Hunter, 56 Lenox Avenue,
Congers, New York, is hereby appointed to the position of
Recreation Leader - Parks Board and Recreation Department - at
the current 1987 annual salary of \$16,361.00, effective and
retroactive to March 2, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (443-1987) CREATING POSITION OF LABORER
(FULL TIME - 40 HOUR WEEK)-
SANITARY LANDFILL

Co. Maloney offered the following resolution:

RESOLUTION NO. (443-1987) Continued

WHEREAS, the Rockland County Personnel Office has certified on March 31, 1987, that the position of Laborer-Sanitary Landfill Department (Full Time - 40 hours per week), can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Laborer - Sanitary Landfill Department (Full Time - 40 hours per week) - is hereby created effective April 7, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (444-1987) CREATING POSITION OF DUMP
ATTENDANT (FULL TIME - 40 HOUR
WEEK) - SANITARY LANDFILL

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 31, 1987, that the position of Dump Attendant - Sanitary Landfill Department (Full Time -40 hours per week), can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Dump Attendant - Sanitary Landfill Department (Full Time - 40 hours per week) - is hereby created effective April 7, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (445-1987) ASSIGNING DOLORES LODICO TO
ASSUME DUTIES OF DEPUTY
COMPTROLLER IN ABSENCE OF
COMPTROLLER

Co. Maloney offered the following resolution:

RESOLVED, that Dolores F. Lodico, 2 Birch Lane, New City, New York, is hereby assigned to assume the duties of Deputy Comptroller in the absence of the Comptroller, at an annual salary of \$2,500.00, effective and retroactive to March 10, 1987.

Seconded by Co. Lettre

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (445-1987)

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

RESOLUTION NO. (446-1987)

SETTING PUBLIC HEARING AND
REFERRING PETITION FOR CHANGE
OF ZONE TO CLARKSTOWN AND
COUNTY PLANNING BOARDS
(BERGSTOL - MAP 142, BLOCK A,
LOTS 32.21, 32.22 AND 32.23)

Co. Maloney offered the following resolution:

WHEREAS, Eric Bergstol has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by petitioner, from an R-15 District to an RS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 142, Block A, Lots 32.21, 32.22 and 32.23;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 12th day of May, 1987, at 8:30 P.M., relative to the proposed amendment, and be it

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

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing re: Special Permit (Cal-Mart Extension of Auto Laundry) was opened, time: 8:55 P.M.

ABE740

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing re: Special Permit (Cal-Mart Extension of Auto Laundry) was closed, RESOLUTION ADOPTED, time: 9:00 P.M.

RESOLUTION NO. (447-1987) SPECIAL FINDING GRANTING
AMENDMENT AND EXTENSION OF
SPECIAL PERMIT FOR EXPANSION OF
AUTO LAUNDRY (CAL-MART
CONSTRUCTION CORP.)

Co. Maloney offered the following resolution:

WHEREAS, CAL-MART CONSTRUCTION CORP., has petitioned the Town Board of the Town of Clarkstown for an extension and amendment of a Special Permit for the construction of an additional facility for the washing of trucks adjacent to an existing auto laundry, pursuant to the provisions of Section 106-10A, Table of General Use Regulations, RS District, Column 3, Section B, Paragraph 5 of the Zoning Ordinance of the Town of Clarkstown for property located at 357-A Route 59, West Nyack, New York, more particularly described on the Clarkstown Tax Map as: Map 106, Block A, Lot 21.01, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on the 7th day of April, 1987 at 8:05 P.M., to consider such application;

NOW, THEREFORE, the Town Board makes the following Special Findings pursuant to Section 106-14B of the Zoning Ordinance of the Town of Clarkstown:

That the proposed use as described and represented by the applicant if permitted subject to the conditions hereinafter established:

1. Shall be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Shall not cause undue traffic congestion or create a traffic hazard;
3. Shall not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Shall not adversely affect the character of/or property values in the area;
5. Shall not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Shall comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that the Special Permit previously issued to authorize an auto laundry on the above described property is hereby amended and extended to GRANT to the petitioner the right to conduct a truck washing facility subject to the following conditions:

1. Petitioner must comply with Section 106-16C of the Zoning Ordinance of the Town of Clarkstown annexed hereto;

Continued on Next Page

ABE740

RESOLUTION NO. (447-1987) Continued

2. Petitioner shall secure site plan approval from the Planning Board;

3. Approval shall be secured from either Rockland County Sewer District No. 1 or the Rockland County Health Department for waste water disposal;

4. Petitioner shall secure permits from the Rockland County Drainage Agency and the New York State Department of Transportation;

5. Petitioner shall continue to comply with all of the requirements and conditions heretofore established by the Town Board at the time of its initial Special Permit approval, and be it

FURTHER RESOLVED, that the Town Board hereby determines on the basis of a memorandum dated October 15, 1986, from Kurian Kalarickal, P.E., acting as staff for the Clarkstown Planning Board, that granting the amended Special Permit to Cal-Mart Construction Corp., to expand an auto laundry, shall have no significant environmental impact and that the provisions of the State Environmental Quality Review Act (SEQRA) have been complied with, and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

TOWN BOARD OF THE TOWN OF CLARKSTOWN

Dated: April 7, 1987

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

Supervisor Holbrook allowed the following resident to speak as he came late to the Public Hearing.

Appearance: Rubin Israeli
434 West Clarkstown Road
Spring Valley

Mr. Israeli spoke about several problems he had experienced. He discussed the safety factor and noted that he had placed boulders, at his own expense, to keep cars from coming up on his lawn. He mentioned that Superintendent of Highways John O'Sullivan had come to look at his property in February of 1986 but nothing ever came of that. He mentioned the paving of West Clarkstown Road, a section of which cost \$40,000.00. Mr. Israeli called the Board's attention to what he referred to as the boondoggle of the paving of part of the road on West Clarkstown Road. He said the Town could see that section is now

perfectly safe and the Supervisor replied that he would not say that it is perfectly safe.

Mr. Israeli said it is safe enough so that no other improvement needs to be done to that section of the road. He wanted to know why, in spite of repeated accidents, that nothing has been done about the road which was supposed to have been improved by special pavement but which has not been improved and maybe made even more hazardous.

Supervisor said after he received a phone call from Mr. Israeli, he wrote to the Highway Superintendent asking him to look into establishing a guard rail which he felt was Mr. Israeli's request. He did not want the guard rail painted an outlandish color but he had no problem with the installation of one.

Co. Lettre asked Superintendent O'Sullivan what he found when he reviewed the situation and Mr. O'Sullivan said it has been a problem for many years. Co. Lettre asked Mr. O'Sullivan if he thought there was a problem in putting up a guard rail and Mr. O'Sullivan reiterated that there is no problem in putting a guard rail in there.

Supervisor Holbrook said that Mr. O'Sullivan should speak with Mr. Israeli and indicate where the guard rail can be located and also the type of guard rail that is necessary.

Mr. Israeli then went on to discuss a drainage problem he has had. On July 30, 1986, the sewer line backed up and the downstairs of his house was ruined. After an inspection by Mr. Anderson, Mr. Israeli said it was determined that the reason that this happened was because the sewers are not sufficient to handle the flow of sewage and this is a direct result of poor planning over the years. Other developments have been added on and on.

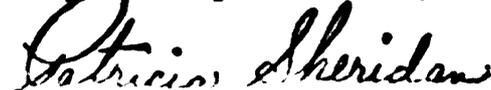
Supervisor Holbrook asked if in the most recent rainstorm Mr. Israeli had experienced problems?

Mr. Israeli said the sewage problem was again created this past weekend but the water did not overflow as much as it did this past July. However, this was not as severe a rainstorm. He said they were not able to use the sewage facilities for several hours - they could not use the toilet as it kept backing up. Upon calling the Town, no one could determine whose problem this was to handle. Then, the Sewer Department decided that there was nothing they could do and he would have to bring in a contractor recognized by the Town. He said he has not been able to get a contractor.

Supervisor said to call his office and make an appointment with regard to the problem.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 9:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

ABE740

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/7/87

8:55 P.M.

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

RE: SPECIAL PERMIT - CAL MART - EXPANSION OF AUTO LAUNDRY

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

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

The Town Attorney said he also had an affidavit of mailing of the notice of public hearing to the municipalities and other agencies in the county. He said he has a report from the Rockland County Planning Board dated March 4, 1987 which states as follows:

(Letterhead of Rockland County Planning Board)

March 4, 1987
(Sec. 106, BLock A, Lot 21.01)

Agency

Clarkstown Town Board
10 Maple Avenue
New City, NY 10956

RE: GEN. MUNICIPAL LAW (GML) REVIEW: 239(k)_239(l&m)XX239(n)

Map Dated: 8/25/86 Date Review Received: 2/26/87

Item: Cal-Mart Construct Cop. (C-1419)
Special permit to allow the expansion of an auto laundry in an RS zone s/s/ of Route 59 and west of Besso Street.

The Rockland County Department of Planning has reviewed the above itme. Acting under the terms of the above GML powers and those vested by the Rockland County Charter, I hereby:

*approve_
**approve subject to conditions below XX
***disapprove for the reasons below_

1. The applicant obtain any required permits from the NYS DOT.
2. The applicant obtain a permit from the R.C. Drainage Agency.
3. The applicant submit a soil and sediment control plan to the SWCD for their review and recommendations.

cc: C. Holbrook, Supervisor, Clarkstown
R. Lombardi, member, RCPB
D. Greene, NYS DOT
H. Mack, SWCD

William M. Chase, Comm. of Planning."

There is also a memo from the Town of Clarkstown Planning Board dated March 31, 1987 which reads as follows:

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PH - Special Permit - Expansion of Auto Laundry (Cal-Mart)
Page 2

(Letterhead of Town of Clarkstown Planning Board)

"Recommendation to the Honorable Town Board:

"March 31, 1987

The Honorable Town Board
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Gentlemen:

TOWN BOARD REFERRAL: SPECIAL PERMIT REQUEST TO ALLOW
FOR EXPANSION OF AUTO LAUNDRY, SL 106 A 21.01
CAL-MART CONST. CORP., WEST NYACK.

At the Planning Board meeting of March 25, 1987 Member Paris made a motion which was seconded by Nest and carried 7:0 with Ayes of Centra, Schweitzer, Hershberger, Maraia and Yacyshyn, approving the following:

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Board has examined the petition in relation to the existing uses and the surrounding area and recommends that the request for expansion of the Special Permit for use of the premises as auto laundry for trucks be granted subject to the following...

- a) Applicant shall return to the Planning Board for final site plan review and approval,
- b) Secure approval from either R.C. Sewer District No.1 and/or R.C. Health Department for waste water disposal,
- c) Permits shall be secured from the R.C. Drainage Agency and New York State Department of Transportation.

Very truly yours,

/s/ Rudolph J. Yacyshyn,
Chairman

cc: Town Attorney
Town Clerk"

Supervisor asked if the applicant was present.

Appearance: Carl Wortendyke
Cal Mart Construction

Mr. Wortendyke said that this is just a construction on an existing car wash. What we are looking for is to construct 8 Bays with a hand held type wand to do trucks and recreational vehicles and things of that sort. He said he had other representatives for the builder with him to answer questions.

Supervisor Holbrook asked if this is an addition that we're talking about?

Mr. Wortendyke said it is a separate building to be built behind the existing one to house 8 separate Bays.

Councilman Maloney asked if the ingress and egress would be the same and Mr. Wortendyke said the ingress and egress would be the same.

Supervisor Holbrook asked if this would take some of the traffic off Route 59 and Mr. Wortendyke said it would.

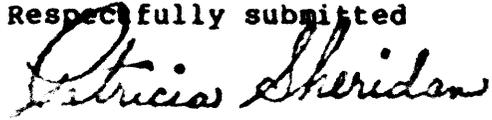
Supervisor asked if any of the Town Board members had any questions. No one did.

Continued on Next Page

PH - Special Permit for Expansion of Auto Laundry - Cal-Mart
Page 3

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, RESOLUTION ADOPTED, time 9:00 P. M.

Respectfully submitted



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (447-1987) ADOPTED

ABE740