

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

371

Town Hall

5/5/87

8:00 P.M.

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

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

Supervisor Holbrook made a presentation to Michael Ludwig, a senior at Clarkstown High School South. Michael is one of only 500 students nationwide who are semi-finalists for Presidential Scholar. Supervisor noted that it is indeed an honor for our community and he extended the congratulations of the Town Board and all of the residents of Clarkstown to Michael.

Supervisor Holbrook declared the Public Portion of the meeting open.

No one appeared.

RESOLUTION NO. (515-1987)

SETTING PUBLIC HEARING AND
REFERRING ZONE CHANGE
PETITION TO CLARKSTOWN AND
ROCKLAND COUNTY PLANNING
BOARDS (ROBERT HENNER,
D.D.S. AND CONGERS
PROFESSIONAL CENTER, INC.)

Co. Maloney offered the following resolution:

WHEREAS, ROBERT HENNER, D.D.S. and CONGERS PROFESSIONAL CENTER, INC., by its President, Robert Henner, D.D.S., 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 LS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 127, Block P, Lot 15;

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 9th day of June, 1987, at 8:20 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. Smith

Continued on Next Page

ABE740

RESOLUTION NO. (515-1987) 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. (516-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO SOLICIT
PROPOSALS FOR IMPROVEMENTS
TO POLICE STATION

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendations of the Police Commissioners and the Chief of the Police Department, the Town Board authorizes Laurence Kohler, Director of Purchasing to solicit proposals for improvements to the Police Station.

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. (517-1987)

CANCELLING LIS PENDENS
(STERNGASS)

Co. Maloney offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice pursuant to Town Code, Chapter 79, dated March 10, 1987, for premises designated on the Clarkstown Tax Map as MAP 124, BLOCK B, LOT 13 has been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$217.00 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, mailings, records search, stenographic services, and all other expenses including attorney's time.

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. (518-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION ON
PREMISES - MAP 88, BLOCK A,
LOT 28.01 - O & R (LOUIS B.
CONWAY, TENANT)

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, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or 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 88, BLOCK A, LOT 28.01, located at 121 Western Highway, West Nyack, New York, reputedly owned by Orange and Rockland Utilities, (Louis B. Conway, Tenant) has been the subject of violation notices issued against the property owner(s) for lack of proper maintenance of the property in that there are sections of trees, branches, grass clippings, piles of leaves, broken lawn furniture, debris and garbage and miscellaneous litter scattered over the property, 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; and

WHEREAS, said condition has existed without abatement for many months despite the order of the Building Department directing the property owner(s) to clear said nuisance and litter from the subject premises;

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 88, BLOCK A, LOT 28.01 reputedly owned by Orange and Rockland Utilities, and be it

FURTHER RESOLVED, that 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 23rd day of June, 1987, at 8:05 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 owners by

Continued on Next Page

ABE740

RESOLUTION NO. (518-1987) Continued

personal service, if possible, and by certified mail, return mail on or before June 1, 1987.

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. (519-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING FOR
REMOVAL OF VIOLATION ON
PREMISES - MAP 106, BLOCK
A, LOT 26.5 ERIE STREET
REALTY (MIDAS MUFFLERS,
TENANT)

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, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or 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 106, BLOCK A, LOT 26.5, located at 308 Route 59, West Nyack, New York, reputedly owned by 303 ERIE STREET REALTY CORP. (Midas Mufflers, Tenant), has been the subject of violation notices issued against the property owner(s) for lack of proper maintenance of the property in that there are old tires, car parts, a mattress, garbage and debris at the rear of the building, in addition to a tractor trailer parked and being used for storage purposes, 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; and

WHEREAS, said condition has existed without abatement for many months despite the order of the Building Department directing the property owner(s) to clear said nuisance and litter from the subject premises;

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 106, BLOCK A, LOT 26.5, reputedly owned by 303 ERIE STREET REALTY CORP., and be it,

FURTHER RESOLVED, that 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

RESOLUTION NO. (519-1987) Continued

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 23rd day of June, 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 owners by personal service, if possible, and by certified mail, return mail on or before June 1, 1987.

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. (520-1987)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDING FOR REMOVAL OF VIOLATION ON PREMISES MAP 106, BLOCK A, LOT 26.4 -ERIE STREET REALTY (LEE MYLES TRANSMISSIONS, TENANTS)

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, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or 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 106, BLOCK A, LOT 26.4, located at 318 Route 59, West Nyack, New York, reputedly owned by 303 ERIE STREET REALTY CORP. (Lee Myles Transmissions, Tenant), has been the subject of violation notices issued against the property owner(s) for lack of proper maintenance of the property in that there are tires, oil drums, car parts, plus car hoods and fender sections, unlicensed vehicles and a boat on a trailer in front of the building, and miscellaneous garbage and debris scattered at the front of the building, 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; and

Continued on Next Page

ABE740

RESOLUTION NO. (520-1987) Continued

WHEREAS, said condition has existed without abatement for many months despite the order of the Building Department directing the property owner(s) to clear said nuisance and litter from the subject premises;

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 106, BLOCK A, LOT 26.4, reputedly owned by 303 ERIE STREET REALTY CORP., and be it,

FURTHER RESOLVED, that 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 23rd day of June, 1987, at 8:10 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

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 owners by personal service, if possible, and by certified mail, return mail on or before June 1, 1987.

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. (521-1987)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDINGS
FOR REMOVAL OF VIOLATION ON
PREMISES MAP 139, BLOCK B,
LOT 20 - KLOEK

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, tenant or occupant to comply with written notice from the Police Department, Fire Inspector, Building Inspector, Superintendent of Highways or delegates to remove such nuisance, hazard or litter as defined in

RESOLUTION NO. (521-1987) Continued

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 139, BLOCK B, LOT 20, located at 162 New York Avenue, Congers, New York, reputedly owned by Barbara Kloek, has been the subject of a violation notice issued against the property owner(s) for lack of proper maintenance of the property in that there are unlicensed vehicles and car parts on the property and repairs being made on said vehicles, 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; and

WHEREAS, said condition has existed without abatement for many months despite the order of the Building Department directing the property owner(s) to clear said nuisance and litter from the subject premises;

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 139, BLOCK B, LOT 20 reputedly owned by Barbara Kloek, and be it,

FURTHER RESOLVED, that 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 23rd day of June, 1987, at 8:20 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owners by personal service, if possible, and by certified mail, return mail on or before June 1, 1987.

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

ABE740

RESOLUTION NO. (522-1987)

AWARDING BID FOR BID
#49-1987 - TIRES/TUBES/
RIMS/WHEEL SERVICES
(ROCKLAND TIRE & SERVICE)

Co. Maloney offered the following resolution:

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

BID #49-1987
TIRES/TUBES/RIMS/WHEEL SERVICES

is hereby awarded to:

ROCKLAND TIRE & SERVICE
109 Route 59
Monsey, New York 10952

as per the attached item/price schedule.

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (523-1987)

AWARDING BID FOR BID #17 -
GERMONDS PARK IMPROVEMENT
PROJECT - ELECTRICAL
CONTRACT (TAPPAN ZEE
ELECTRIC CO., INC.) CHARGE
TO CAPITAL FUND ACCOUNTS
H-9710-09-409 AND
H-9140-03-409

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendations of Henry
Horowitz, P.E. Consulting Engineer; Laurence Kohler, Director of
Purchasing and Edward J. Ghiazza, Superintendent of Recreation and
Parks, that

BID #17-1987
for
GERMONDS PARK IMPROVEMENT PROJECT

is hereby awarded as follows:

ELECTRICAL - CONTRACT - Tappan Zee Electric Co. Inc., 523 Route 303,
Orangeburg, NY 10962

Lump Sum Bid-----\$ 492,975.00
TOTAL CONTRACT - ELECTRICAL-----\$ 492,975.00

FURTHER RESOLVED, that the Superintendent of Recreation
and Parks is hereby authorized to execute any necessary change
orders on behalf of the Town of Clarkstown, based upon the
recommendation of Henry Horowitz, P.E., not to exceed \$542,975.00,
to be allocated against Capital Fund Account H-9710-09-409 and
H-9140-03-409.

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. (524-1987)

AWARDING BID FOR BID
#48-1987 - BITUMINOUS
MATERIALS FOR SURFACE
TREATMENT OF TOWN ROADS
(NEW YORK BITUMINOUS
PRODUCTS CORP.)

Co. Maloney offered the following resolution:

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

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

is hereby awarded to

NEW YORK BITUMINOUS PRODUCTS CORP.
P.O. Box 900
Chester, N.Y. 10918

as per the following item/price schedule.

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (525-1987)

REJECTING ALL PROPOSALS
RECEIVED FOR BID #40-1987 -
SOFT DRINKS AND AUTHORIZING
DIRECTOR OF PURCHASING TO
READVERTISE FOR BIDS FOR
BID #40A-1987 - SOFT DRINKS

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Recreation and Parks and the Director of
Purchasing that all proposals received for

BID #40-1987
SOFT DRINKS

are hereby rejected, and be it

Continued on Next Page

ABE740

RESOLUTION NO. (525-1987) Continued

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

BID #40A-1987
SOFT DRINKS

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 Friday, May 22, 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. (526-1987)

CANCELLING LIS PENDENS -
MAP 57, BLOCK G, LOT 4
(HIGHVIEW)

Co. Maloney offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice pursuant to Town Code, Chapter 79, dated February 10, 1987, for premises designated on the Clarkstown Tax Map as MAP 57, BLOCK G, LOT 4, has been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office, provided the sum of \$223.00 shall be paid to reimburse the Town for the cost of an Index Number, filing of Lis Pendens, mailings, records search, stenographic services, and all other expenses including attorney's time.

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. (527-1987)

DIRECTING DIRECTOR OF
ENVIRONMENTAL CONTROL IN
CONJUNCTION WITH BUILDING
DEPARTMENT AND HIGHWAY
DEPARTMENT TO REMOVE DEBRIS
- LAND ADJACENT TO
CLARKSTOWN SANITARY
LANDFILL (FORMERLY BESSO
PROPERTY)

RESOLUTION NO. (527-1987) Continued

o. Maloney offered the following resolution:

RESOLVED, that the Director of Environmental Control, in conjunction with the Building Department and the Town Highway Department, are directed to remove debris on land adjacent to the Clarkstown Sanitary Landfill, formerly known as the Besso property.

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. (528-1987)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE FIRE CHIEF'S
CONVENTION (FIRE INSPECTOR
MARK PAPENMEYER)

Co. Maloney offered the following resolution:

RESOLVED, that Mark Papenmeyer, Fire Inspector is hereby authorized to attend the New York State Fire Chief's Convention on June 14 thru 17, 1987 at the Concord Hotel, Lake Kiamisha, New York, and be it

FURTHER RESOLVED, that there is no cost to the Town other than the use of a Town vehicle.

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. (529-1987)

DECREASING APPROPRIATION
ACCOUNT A 5630-209 (OTHER
EQUIPMENT) AND INCREASING
APPROPRIATION ACCOUNT A
5630-408 (BUILDING REPAIRS
AND IMPROVEMENTS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account A 5630-209 (Other Equipment) and increase Appropriation Account A 5630-408 (Building Repairs and Improvements) by \$1,000.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

ABE740

RESOLUTION NO. (530-1987)

DECREASING APPROPRIATION
ACCOUNT A 1990-505
(CONTINGENCY) AND
INCREASING APPROPRIATION
ACCOUNT A 1490-199

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1990-505 (Contingency) and increase Appropriation Account A 1490-199 by \$679.00.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (531-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO INSTITUTE TOWN
CLEANUP PROCEEDING - 183
WESTERN HIGHWAY, WEST NYACK
(C.A.P. ENTERPRISES)

Co. Maloney offered the following resolution:

WHEREAS, a Public Hearing was held according to Chapter 79 of the Town Code in relation to property at 183 Western Highway, West Nyack, New York owned by C.A.P. Enterprises, and

WHEREAS, the violation still has not been totally taken care of,

NOW, THEREFORE, be it

RESOLVED, that the Highway Superintendent is directed to institute a town cleanup proceeding, pursuant to Chapter 79 of the Town Code, no later than Tuesday, May 12, 1987.

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. (532-1987)

AUTHORIZING TOWN ATTORNEY
TO DRAW UP REVISED
REGULATIONS RE: NATIONAL
FLOOD INSURANCE PROGRAM
(FEDERAL EMERGENCY
MANAGEMENT AGENCY)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to draw up revised regulations to satisfy the Federal Emergency

RESOLUTION NO. (532-1987) Continued

Management Agency for the National Flood Insurance Program, as soon as possible.

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. (533-1987)

INCREASING PAYMENT TO
ASSESSMENT REVIEW BOARD
CHARGE TO ACCOUNT NO.
1356-114

Co. Lettre offered the following resolution:

RESOLVED, that the members of the Board of Assessment Review will be increased from \$50.00 per diem to \$100.00 per diem, and be it

FURTHER RESOLVED, that all proper charges be charged against Account No. 1356-114.

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. (534-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO ERECT "NO
COMMUTER PARKING BEYOND
THIS POINT" SIGN AT U.A.
THEATRE PARKING LOT -
SERVICE INVESTIGATION CLERK
AND SUPERVISOR TO DETERMINE
LOCATION

Co. Maloney offered the following resolution:

RESOLVED, that the Highway Superintendent is hereby directed to erect a "No Commuter Parking Beyond This Point" sign at the U.A. Theatre parking lot, and be it

FURTHER RESOLVED, that Tricia Betz, Service Investigation Clerk, in conjunction with the Supervisor, is to determine the location of said sign.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

ABE740

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Special Permit to Conduct Landfill Operation - Lederle Laboratories, was opened, time: 8:12 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Special Permit to Conduct Landfill Operation - Lederle Laboratories, was closed, RESOLUTION ADOPTED, time: 8:55 P.M.

RESOLUTION NO. (535-1987)

GRANTING SPECIAL PERMIT TO
CONDUCT LANDFILL OPERATION
(LEDERLE LABORATORIES)

Co. Carey offered the following resolution:

WHEREAS, LEDERLE LABORATORIES, 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 106-10 A, Table 14, Column 13, Item B-3 of the Zoning Ordinance of the Town of Clarkstown for property located on South Middletown Road, Nanuet, New York, more particularly described on the Clarkstown Tax Map as MAP 3, BLOCK A, LOT 1, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on the 5th day of May, 1987, at 8:00 P.M., to consider such application;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of the Department of Environmental Control, dated April 27, 1987, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the requested special permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

RESOLVED, that 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:

1. Will be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will 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. Will not adversely affect the character of/or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (535-1987) Continued

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 Section 106-16 L of the Zoning Ordinance of the Town of Clarkstown annexed hereto;

2. The fill material consisting of the demolition debris of a building demolished by the applicant shall be the only material disposed under this permit and such material shall not be placed in the landfill until examined by the Director of Environmental Control, and found to consist of solely the materials represented by the applicant;

3. Petitioner shall take all necessary steps to preserve and protect any adjacent public or private water supply as determined by the Clarkstown Department of Environmental Control;

4. Any necessary grading or other site changes that affect drainage or adjoining properties will be first submitted to the Town of Clarkstown Department of Environmental Control for determination and approval;

5. In the event that the Town Board determines that an outside consulting engineering firm is necessary at any time before, during or after the landfill operation, applicant agrees to pay the costs of such consultant;

6. 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 agrees to save harmless the Town from any costs, including attorneys fees and disbursements incurred in the defense and any damages for which the Town may become liable as a result of any judgment against the Town of Clarkstown, or any member of the Town Board;

7. The applicant shall adhere to the rules of the permit granted under the New York State Department of Environmental Conservation;

8. The Special Permit granted hereunder shall terminate upon the disposal of the demolition debris which is the subject of this permit within the designated landfill area, 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

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

Seconded by Co. Maloney

Continued on Next Page

ABE740

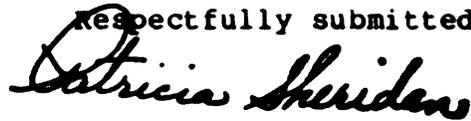
RESOLUTION NO. (535-1987) Continued

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Special Town Board Meeting was closed, time: 8:55 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

387

Town Hall

5/5/87

8:12 P.M.

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

RE: SPECIAL PERMIT TO CONDUCT LANDFILL OPERATION -
LEDERLE LABS

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 from the Department of Environmental Control acting as staff for the Clarkstown Town Board regarding the SEQRA process. Correspondence states as follows:

LETTERHEAD OF DEPARTMENT OF ENVIRONMENTAL CONTROL

"April 27, 1987

This is to inform you that fifteen (15) days have elapsed since this department, acting as staff for the lead agency notified all involved agencies of its opinion of non-significance. This finding is based on the map dated 3/4/87 and the information the applicant supplied. Therefore, since no involved agency submitted a written objection, no further processing under SEQRA appears to be required.

Based on the above, we would recommend that the Town Board adopt this letter by resolution making any amendments the Board deems necessary or appropriate and advise the applicant that they may now complete the processing of their application with the appropriate agencies."

Very truly yours,

/s/ Kurian L. Kalarickal, P.E.
Staff for the Clarkstown Town Board"

The Town Attorney said they also have correspondence from the Town of Clarkstown Planning Board.

LETTERHEAD OF TOWN OF CLARKSTOWN PLANNING BOARD

"May 1, 1987

Gentlemen: TOWN BOARD REFERRAL: SPECIAL PERMIT REQUEST
TO ALLOW FOR LANDFILL OPERATION, AMERICAN
CYANAMID 3A1, NANUET

At the Planning Board meeting of April 29, 1987 Member Nest made a motion which was seconded by Maraia and carried 5:0 with Ayes of Hershberger, Paris and Yacyshyn, approving the following...

RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Members have examined the petition of American Cyanamid 3A1, Nanuet, for a Special Permit to operated landfill for demolition building debris, in relation to the particular use, the appropriateness of the location, the surrounding area, in particular the location of the landfill operation not being within any close range of the residential areas, and the effects on the environment. The Planning Board therefore...

Continued on Next Page

ABE740

1. Finds no planning objection to the granting of the Special Permit subject to a) compliance with Section 106-16(L) of the Zoning Ordinance; b) compliance with all requirements of the Dept. of E.C.; and c) compliance with requirements of the R.C. Health Dept.
2. All access roads to be used shall be solely within the site itself.

Very truly yours,

/s/Rudolph J. Yacyshyn
Rudolph J. Yacyshyn
Chairman"

The Town Attorney read another memo as follows:

TOWN OF CLARKSTOWN PLANNING BOARD

DRAFT RESOLUTION ITEMS ON: TB REFERRAL: SPECIAL PERMIT REQUEST FOR 3A1 AMERICAN CYANAMID, NANUET (To landfill building demolition debris)

"RECOMMENDATIONS FROM DEPT. OF ENVIRONMENTAL CONTROL: 4/24/87

We will not have any objections to the requested special permit since the landfill operation will be under a permit from New York State Department of Environmental Conservation.

/s/ Kurian L. Kalarickal
Kurian L. Kalarickal, P.E."

The Town Attorney said he had a telephone inquiry from Mrs. Sarah Klein, 36 Englewood Ave., Nanuet, New York in which she requested information concerning whether or not the applicant intended to deposit any toxic materials, waste or other items dangerous to public health as a result of the permit being granted. Our response by correspondence was that there was no information in the permit from which one could determine that any toxic waste or other materials dangerous to public health are to be deposited in the proposed site of the landfill.

The Supervisor explained that the applicant would make presentations to the Town Board and the Town Board could respond with any questions they have and the public could make any statements they have or ask questions of the applicant during the course of the hearing.

Appearance: Richard Guterl, Manager
Utilities Environmental Operations
Lederle Laboratories

He said they submitted this request for a special application for a landfill for one purpose and that is for the deposition of a particular building that was put up in 1906 and added on to 1916. It is a four story masonry construction which is being demolished to make way for consolidated new facilities of Lederle Laboratories.

The site of the proposed landfill is a pit that had been used since approximately 1946. A landfill was licensed in this area and terminated in approximately 1981 at the Orangetown Clarkstown town line. There is presently a gorge in this area and he showed it on the map. He said what they propose to do is demolish this one building and landscape the area. He said there has been some misinformation in the paper about this building being considered asbestos. The building was put up in 1906 and added onto in 1916. All asbestos covered pipes have been removed. The building has been decontaminated. The reason

Continued on Next Page

we're not going to the Clarkstown Landfill is we'd like to fill the gorge that is on the property. The site is approximately one half acre. Our closest resident is 2,000 feet. We own the property to both the north, southeast, and west of this particular site and request a six month period in which to do this. We feel we will complete it in about two or three weeks.

The other reason we are not going to the Clarkstown landfill is that, although the requirement of the Federal ETA and the State is that anything with less than 1% of asbestos is not considered asbestos, before we go in to demolish any building we sample all the building material and in so doing we uncover the fact that we have spot asbestos reading in the plaster material anywhere from 0 to 3%. The aggregate is well below the 1% of the classified material as asbestos. However, our plant regulations are much more stringent than what is imposed. The State must impose regulations that are at least as stringent as Federal regulations and we follow the same philosophy. We feel that we can better handle this building by burying it in the Lederle Laboratory site since we are the only landfill site in the county that is approved to take asbestos and we have been handling asbestos since 1980. He felt that for the protection of their people and the protection of the people who run the Clarkstown Landfill that it will be best handled by Lederle.

Mr. Guterl said they intend to treat the entire demolition debris as if it is asbestos although it is not. This involves thoroughly wetting material during demolition. The building has already been demolished. It also includes loading material and wetting it again and covering it and following fourteen conditions which the DEC has requested us to do with handling this one particular building. The DEC has granted us the 360 permit pending approval of other agencies which is the Town Board.

Supervisor Holbrook asked if the request is only for the debris from this particular building - no other building and no other debris? Once it is put into this particular location, and covered up that would be it.

Mr. Guterl said one building approximately 320 tons.

Councilman Lettre asked if Mr. Guterl said the building was already down?

Mr. Guterl said "yes."

Councilman Lettre asked if the building is on the site of the foundation at the present moment.

Mr. Guterl said it is on the site where it was knocked down and showed it on the map and explained the procedure to be used.

Councilman asked how deep the crater is now?

Mr. Guterl said the crater is about 10 feet

Councilman Lettre asked what the topping would be?

Mr. Guterl the debris will be placed and daily covered with six inches of fill before there will be any compaction. It will be brought up in two lifts so it will blend into what was a landfill. The top is covered with another 18 inches of a liner material and then six inches of top soil and seeded.

Councilman Lettre asked Mr. Bollman, Director of Environmental Control if there is any procedure that the State has that we have to follow if there is any asbestos?

ABE740

Mr. Bollman said that the only thing that the State wants is that it be contained in some way and that it is buried and that it is marked in the area where it is buried. The major concern of asbestos is the airborne particles.

Councilman Lettre asked if Mr. Guterl was going to put on some impervious liner?

Mr. Guterl said that the State requires on a sanitary landfill about five feet of 0.00005 centimeters per second permeability and we have in place a liner with a permeability of .0000007 centimeters per second. Our requirements are approximately two powers of ten greater than what the State's are. Now that's the liner material. We not only document the horizontal controls of where we place asbestos but also the vertical controls. Mr. Guterl explained the procedure for removal of asbestos material and said the procedure has to be witnessed by the Department of Health.

Councilman Lettre asked if the procedure is mandated and inspected by the Department of Health.

Mr. Guterl said that the Department of Health is there during the removal, transportation and burying process

Councilman Carey asked if during the demolition of the building is there any chance that the asbestos escaped in the air?

Mr. Guterl said that the building was gone into and pre-wetted and as the building was being demolished there were fire hoses trained on the wall.

Councilman Lettre is the area at the moment being wet down?

Mr. Guterl said the area has to be wet down every day.

Supervisor asked if there was any member of the public present that would like to make a comment or ask any questions.

Appearance: Allan Freedman
Church Street
Nanuet

Mr. Freedman said he was a licenced asbestos investigator in New York City. He asked what type of asbestos is in the building? Mr. Guterl told him the type and Mr. Freedman said it did not sound like a problem to him.

Appearance: Marcelle Mays
9 Rockland Ave.
Nanuet

What is in this landfill and what are you digging up?

Mr. Guterl said there is a hollow there now where the ground was excavated starting about 1946. We are now down to existing grade. We are not digging up anything.

Ms. Mays asked if there will be any smell from the ground?

Mr. Guterl said there is nothing that is going to be excavated. It's only mortar that is being placed there and construction debris.

Appearance: John Lodico
2 Birch Lane
New City

Mr. Lodico said that Lederle Laboratories has been an outstanding neighbor in the community working in participation for many areas of hazardous toxic waste. He said that Lederle assisted him in research when he was handling the Ramapo Landfill. He said Lederle maintains a classic, first class landfill. No other landfill in the state has been more supervised or inspected. He said he hoped they would put some buildings in there so we could get some tax ratables.

Appearance: Diane Banta
12 West Palisade Ave.
Nanuet

She said the area is not fenced in completely and there is a railroad track that goes alongside the landfill and it should be completely fenced in.

Mr. Guterl said there is an existing fence around the area. He said they have two perimeter fences around this property to the west of the railroad tracks. We cannot put a fence where the right-of-way is. There are two right-of-ways. There is the Orange and Rockland right-of-way and there is also a NJT right-of-way. This particular site is 580 feet from the railroad track and there is fence all around this one side.

Ms. Banta said there were piles of pills and syringes that her husband used to play in thirty years ago and she said she would like to know if that area has ever been tested for land pollution or air pollution. What is in that area right now?

Mr. Guterl said there is no landfill right on the site where we are going to put the demolished building. The building will complete an extension of a landfill that was on the other side of the Orangetown line and that was there for a period of four years. Your husband when he was a child thirty years ago walked on the site that is not in this particular area. That area that you are talking about we have a total of 89 groundwater monitoring wells, seven deep reduction wells and we have been monitoring that since 1978 and our exit groundwater quality is superior to that which you get when you turn on the tap.

Ms. Banta asked who is it recorded with?

Mr. Guterl said DEC.

Ms. Banta asked if there has ever been a cancer study done in the area?

Mr. Guterl said "no."

Ms. Banta asked if there has ever been an air pollution study done in that area?

Mr. Guterl said there have been many and we have approximately 1100 emission points which are registered with the State and registered with the Health Department and are inspected by the Health Department.

Ms. Banta asked who gave Lederle permission to dump in this area? How long is this going to go on and is there a plan on extending it? Is this going to be the last thing or are you going to come for another permit six months down the line? Do you plan on dumping other buildings in the same landfill site on the Clarkstown side?

Mr. Guterl said there are four other buildings that are going down. He said there is no asbestos in the other buildings. The other buildings that come down will be handled

Continued on Next Page

ABE740

the way anybody else would when they demolish a building. There is no other hazardous material in these buildings.

Someone from the audience asked Mr. Guterl if someone on a dirt bike could ride down the railroad. The answer was if someone was determined to get to the site they could.

Appearance: Ms. Weber
17 West Palisade Avenue
Nanuet

Ms. Weber asked what happened to the landfill that the kids used to play in that has the pills and hyperdermic needles?

Mr. Guterl said it was very difficult to comment on an eight year old child's observation thirty years ago that was made to you and you are making to me.

Supervisor Holbrook asked what is the status of the previous landfill site?

Mr. Guterl said the previous landfill site is inactive and it was closed in 1978 with the normal DEC regulations

Appearance: John Weber
Palisades Ave.
Nanuet

He said that Lederle Laboratory did dump pills and that material is still in the landfill.

Supervisor Holbrook said that whatever was put in that landfill that landfill has been closed and it has to be monitored according to the State regulations. Those tests and studies are available to the public to see what they show. The site that we are talking about tonight is a gorge that is to be filled with demolition debris. He asked in terms of the monitoring has there ever been any reports that have indicated anything that has been hazardous as a result of what was dumped there years ago?

Mr. Guterl said "no."

Mr. Weber asked if Lederle had considered carting it away from Rockland County to a Federal landfill?

Mr. Guterl said it was not considered.

Councilman Lettre said he would like to put forth a resolution granting the Special Permit with the proviso that Lederle Labs follow any and all normal regulations set forth by DEC for the burial of demolition material containing traces of absestos.

Councilman Maloney said he would like to second that.

Councilman Carey said we already have a resolution that probably covers everything you would be looking for.

Councilman Lettre said he doubted that it covers that.

Town Attorney said it does cover that.

Supervisor then read the resolution (which is set forth in full starting on page 14 of the minutes of the Special Town Board Meeting of this date.)

Continued on Next Page

Councilman Lettre said, after hearing the resolution read, that it did not mention asbestos. He wanted that cleared up.

Councilman Maloney asked if the waiving of the performance bond was a part of the resolution? The Town Attorney said that the performance bond which is required by section 106.16 under the special permits procedure is a performance bond that is sufficient in the opinion of the Town Board to secure the rehabilitation of the site. Under these circumstances the Town Board can come to the conclusion that this performance bond need not be substantial but could be minimal if, as Mr. Bollman has pointed out, there really isn't too much that he is concerned about.

Councilman Lettre said with regard to item No. 7 in the resolution which reads "The applicant shall adhere to the rules of the permit granted under the New York State Department of Environmental Conservation", he said he would like to add in there, if it meets with the Board's pleasure "for the burial of asbestos demolition." Mr. Les Bollman, Director of Environmental Conservation, said if you classify that in a resolution it gives it a different connotation.

Councilman Lettre said we are obviously dealing here with a material that has an asbestos count to it. Mr. Bollman said but no more than any building you go into that is over twenty years old. You can't go into a building that old that does not have some asbestos wrapping to it, pipes, etc. He said his own house has asbestos siding. It is less than what the EPA or the State designates as asbestos. If you put that into the resolution then somebody is going to question why we didn't go through the procedures that we go through for asbestos, as Rich explained, where he does bury asbestos under State regulations.

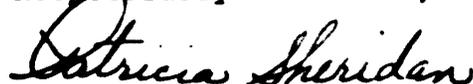
Councilman Lettre said he asked the question before regarding the burial procedure that is going to take place of the demolition material - is it going to be taken with more stringent care than just normal burial procedures? He said maybe it is not necessary to put it in the resolution but ...

Mr. Guterl said as Les Bollman pointed out there is asbestos in a lot of construction material - asbestos on his house, the vinyl asbestos in this floor - this building demolition debris is not considered asbestos by the Federal, State or any local regulations. We are much below the 1% to be considered asbestos. We are much lower than that. The extra precautions we are taking are our precautions. They are not being imposed on us but for our own reasons because we are a very conservative, cautious company.

Councilman Lettre asked if there are other precautions that are going to be taken during the actual burial of the materials? Mr. Guterl said yes. Councilman Lettre said he was satisfied with that and with the resolution as written.

There being no one further wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed and ADOPTED, time 8:55 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (535-1987) ADOPTED

ABE740