

TOWN OF CLARKSTOWN  
BOARD MEETING

Town Hall

5/12/87

8:00 P.M.

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

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

Supervisor read the following proclamation:

"SENIOR CITIZEN MONTH  
May, 1987

WHEREAS, the Town of Clarkstown is privileged to number among its residents over seven thousand senior citizens, a group which has proven to be vital to the growth and prosperity of our community, and

WHEREAS, these citizens can be considered a great asset to the Town of Clarkstown, and

WHEREAS, these men and women provide humor, zest and the wisdom of their years to enrich all our daily lives, and

WHEREAS, our indebtedness to our senior citizens is impossible to repay, and the Clarkstown Town Board is cognizant of the inherent socioeconomic problems of our senior citizens and will continue to pursue new and innovative ways to help alleviate these burdens and, through our senior citizen groups, will solidify our social bond between ourselves and our elderly persons, and

WHEREAS, we now wish to reaffirm the affection, concern and profound respect we feel for this group of individuals,

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on this 12th day of May, 1987, do hereby proclaim the month of May as "SENIOR CITIZEN MONTH" in the Town of Clarkstown and urge all our residents to join with us in recognizing all our senior citizens in an appropriate fashion.

IN WITNESS WHEREOF I HERETO SET MY  
HAND AND CAUSE THE SEAL OF THE TOWN  
OF CLARKSTOWN TO BE AFFIXED THIS 12TH  
DAY OF MAY, 1987.

/s/ Charles E. Holbrook  
CHARLES E. HOLBROOK, Supervisor  
Town of Clarkstown

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

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

S E A L

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

/s/ Ann Marie Smith  
Ann Marie Smith  
Councilwoman"

The proclamation for the New City Senior Citizen Club was accepted by Harriet Dusanenko.

Supervisor declared Public Portion of the meeting open.  
No one appeared.

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ABE650

RESOLUTION NO. (536-1987)

RESCHEDULING VIOLATION  
HEARING FROM MAY 12, 1987  
TO MAY 26, 1987 (MAP 137,  
BLOCK B, LOT 11 - KARTEN)

Co. Maloney offered the following resolution:

RESOLVED, that upon the request of the reputed owners of premises known as Map 137, Block B, Lot 11, the public hearing scheduled for the Chapter 31 proceeding be rescheduled from May 12, 1987, to May 26, 1987.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (537-1987)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT FOR  
CONSULTING SERVICES TO  
BUILDING DEPARTMENT (ARTHUR  
CONKLIN)

Co. Carey offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract for the period from May 14, 1987 to November 14, 1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (538-1987)

REFERRING PETITION TO  
ROCKLAND COUNTY PLANNING  
BOARD AND TOWN OF  
CLARKSTOWN PLANNING BOARD  
AND SETTING PUBLIC HEARING  
FOR SAME (POTENTIAL ACCESS  
TO PROPOSED ROUTE 45 TUNNEL  
BY-PASS ROAD - MAP 165,  
BLOCK A, LOT 3.46 A/K/A  
KINGSGATE

Co. Maloney offered the following resolution:

WHEREAS, a recommendation has been made by the Planning Board, that the Town Board of the Town of Clarkstown take action pursuant to Section 273 of the Town Law to amend the Official Map of the Town of Clarkstown to provide for potential access to the proposed Route 45 tunnel by-pass road with respect to property known

RESOLUTION NO. (538-1987) Continued

and designated on the Clarkstown Tax Map as Map 165, Block A, Lot 3.46, also known as Kingsgate, as shown on the attached sketch (Schedule "A");

NOW, THEREFORE, be it

RESOLVED, that on Motion of the Town a public hearing shall be held at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of June, 1987 at 8:15 P.M., or as soon thereafter as possible, pursuant to Section 273 of the Town Law, to consider amending the Official Map of the Town of Clarkstown, and be it

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

FURTHER RESOLVED, that the Director of Environmental Control shall fulfill the additional requirements of Section 106-32(c) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred (500) feet of the affected property, 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 a copy of this resolution be referred to the Rockland County Planning Board for its report and recommendation.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

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RESOLUTION NO. (539-1987)

DECREASING CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 1355-225  
(ASSESSOR'S COMPUTER  
EQUIPMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 1355-225 (Assessor's Computer Equipment) by \$1,500.00.

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

ABE650

RESOLUTION NO. (539-1987) Continued

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

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RESOLUTION NO. (540-1987)

DECREASE APPROPRIATION  
ACCOUNT NO. B 8030-409  
(BOARD OF ARCHITECTURAL  
REVIEW - FEES FOR SERVICES)  
AND INCREASE APPROPRIATION  
ACCOUNT NO. B 8030-313  
(OFFICE SUPPLIES & PRINTING)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. B 8030-409 (Board of Architectural Review - Fees for Services) and increase Appropriation Account No. B 8030-313 (Office Supplies & Printing) ;by \$16.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (541-1987)

DECREASE CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASE APPROPRIATION  
ACCOUNT NOS. A 3320-409, A  
8511-383 AND A 8511-412

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 by \$14,175.00 and increase the following Appropriation Account Numbers:

A 3320-409 (Installation of Traffic Signals Fees for Services).....	\$13,210.00
A 8511-383 (Community Beautification-Concrete, Lumber).....	895.00
A 8511-412 (Refuse).....	70.00

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (542-1987)

AUTHORIZING PAYMENT TO  
SECRETARY TO BOARD OF  
APPEALS (MARGARETANN RIES)  
FOR PREPARATION OF  
TRANSCRIPT (KUBRAN V.  
KRAUSHAAR, ET AL)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$331.25 be paid to  
Margaretann Ries, Secretary to the Board of Appeals, for the  
preparation of the transcript required in the following proceeding:

JOHN P. KUBRAN, et al. v. DAVID KRAUSHAAR, et al.

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

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RESOLUTION NO. (543-1987)

AUTHORIZING PAYMENT TO  
HOWARD L. LAMPERT FOR  
TRAFFIC STUDY (VARIOUS  
PROJECTS)

Co. Maloney offered the following resolution:

WHEREAS, the Town board entered into an agreement with  
Howard L. Lampert, P.E., Traffic Engineering Consultant, to provide  
a traffic safety study for each of the following:

Gilchrest Road  
Main St. & New Hempstead Rd.  
Potential Bridge projects  
Review of Rts. 59 Corridor Study  
Rte. 59 & Hub Shopping Center  
Storms Road  
West Nyack Rd. at W. Nyack elem. School  
Clarkstown Plaza Shopping Center  
Tucker Avenue  
Church Street

and for other miscellaneous meetings and discussions with Traffic  
Safety Board and Highway Department,

NOW, THEREFORE, be it

RESOLVED, that payment be authorized in the sum of  
\$3,000.00 to Howard L. Lampert, P.E. for the above.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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ABE650

RESOLUTION NO. (544-1987)

AWARDING BID FOR BID  
#47-1987 - CHEMICALS (ZEP  
MANUFACTURING CO.; JONES  
CHEMICAL CO.; HALBRO  
CONTROL; DUSO CHEMICAL CO.;  
QUICK CHEMICAL CO.; JERSEY  
CHEMICAL CO.

Co. Maloney offered the following resolution:

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

BID #47-1987  
CHEMICALS

is hereby awarded to:

ZEP MANUFACTURING CO.  
10 Fadem Road  
Springfield, N.J. 07081

JONES CHEMICAL CO.  
P.O. Box 280  
Warwick, N.Y. 10990

HALBRO CONTROL  
2090 Route 110  
Farmingdale, N.Y. 11735

Duso Chemical Co.  
P.O. Box 665  
Poughkeepsie, N.Y. 12602

QUICK CHEMICAL CO.  
200 Winston Drive  
Cliffside Park, N.J. 07010

JERSEY CHEMICAL CO.  
P.O. Box 542  
Paterson, N.J. 07524

as per the attached schedule of prices.

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (545-1987)

AWARDING BID FOR BID  
#50-1987 - SALE OF SURPLUS  
EQUIPMENT (SARA AND STEPHEN  
SCHWARTZ)

Co. Maloney offered the following resolution:

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

Continued on Next Page

RESOLUTION NO. (545-1987) Continued

BID #50-1987  
SALE OF SURPLUS EQUIPMENT

is hereby awarded to:

SARA AND STEPHAN SCHWARTZ  
58 Campbell Avenue  
Suffern, N.Y. 10901

as per the attached item/price schedule, and be it

(Item/price schedule on file in Town Clerk's Office.)

FURTHER RESOLVED, that those items on which no bids were received shall be disposed of at the Clarkstown Sanitary Landfill.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (546-1987)

AWARDING BID FOR BID  
#46-1987 - WASHED SAND AND  
GRAVEL (E. TETZ AND SON,  
INC.; MCKEE BROS., INC.;  
RAIA INDUSTRIES; CRYSTAL  
RUN SAND & GRAVEL, INC.)

Co. Maloney offered the following resolution:

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

BID #46-1987  
WASHED SAND & GRAVEL

is hereby awarded to:

- (1) E. Tetz and Son, Inc.  
Crystal Run Road  
Middletown, NY 10940
- (2) McKee Bros., Inc.  
PO Box 328  
Ramsey, NJ 07446
- (3) Raia Industries  
PO Box 505  
Hackensack, NJ 07602
- (4) Crystal Run Sand & Gravel, Inc.  
154 Spring Street  
Monroe, NY 10950

as per the following price schedule

(A) F.O.B DELIVERED - To Town drop-off point - unloaded

Continued on Next Page

ABE650

RESOLUTION NO. (546-1987) Continued

<u>ITEM</u>	<u>PRICE</u>	<u>VENDOR</u>
Tailings	\$12.00 Ton	E. Tetz & Son
3/4" Gravel	12.00 Ton	Raia Industries
3/8" Gravel	12.25 Ton	Raia Industries
Bank Run	8.00 Ton	E. Tetz & Son
Mortar Mason Sand	11.75 Ton	McKee Bros.
Sand Blasting Sand	No Award	
Concrete Sand	8.50 Ton	E. Tetz & Son

(B) F.O.B. VENDOR YARD - Loaded in Town Trucks

Tailings	7.00 Yrd	Crystal Run Sand
3/4" Gravel	7.50 Ton	E. Tetz & Son
3/8" Gravel	8.00 Ton	E. Tetz & Son
Bank Run	3.50 Ton	E. Tetz & Son
Mortar Mason Sand	8.00 Ton	E. Tetz & Son
Sand Blasting Sand	No Award	
Concrete Sand	4.00 Ton	E. Tetz & Son

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (547-1987)

AWARDING BID FOR BID  
 #41-1987 - ICE CREAM  
 (McDERMOTT BROS. AND D & M  
 PROVISIONS)

Co. Maloney offered the following resolution:

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

BID #41-1987  
 ICE CREAM

is hereby awarded to:

McDermott Bros.  
 18 Bobby Lane  
 West Nyack, N.Y. 10994

D & M Provisions  
 72 Rockland Lane  
 Spring Valley, N.Y. 10977

as per the attached item/price schedule

<u>ITEMS</u>	<u>PRICE PER STD. PACK.</u>	<u>AWARD</u>
ICE CREAM SANDWICH	7.25	McDERMOTT BROS.
STRAWBERRY CRUNCH BAR	5.50	" "
CHOCOLATE CRUNCH BAR	5.50	" "
TWIN ICE POP	2.75	" "
ITALIAN ICE CUP (ASST. FLAVORS)	2.75	" "

Continued on Next Page

RESOLUTION NO. (547-1987)

(ASST. FLAVORS)		
ICE CREAM DIXIE CUP	5.00	.
(VAN/CHOC)		
FROOZE FRUITS	12.00	D & M PROVISIONS
(VARIOUS FLAVORS)		

Seconded by Co. Smith

On roll call the vote was as follows:

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

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ABE650

RESOLUTION NO. (548-1987)

AWARDING BID FOR BID  
#42-1987 - BUS  
TRANSPORTATION (LAIDLAW  
TRANSIT NY INC.; PETER  
BREGA INC.; SADDLE RIVER  
TOURS INC.; ROCKLAND  
COACHES 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 #42-1987  
BUS TRANSPORTATION

is hereby awarded to

LAIDLAW TRANSIT NY INC.  
22 HOFFMAN ST  
SPRING VALLEY NY 10977

PETER BREGA INC.  
PO BOX 152  
KINGS HIGHWAY  
VALLEY COTTAGE NY 10989

SADDLE RIVER TOURS INC.  
119 GRAHAM LANE  
LODI NJ 07644

ROCKLAND COACHES INC.  
126 N WASHINGTON AVE  
BERGENFIELD NJ 07621

as per the following schedule:

1. Part A - Item 1 - Summer Day Camp Transportation swim routes  
Awarded to: Laidlaw Transit
2. Part A - Item 2 - Summer Day Camp - one day trips - local  
Awarded to: Peter Brega
3. Part B - Item 1 - Senior Citizen Daily Club Routes  
Awarded to: Laidlaw Transit

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RESOLUTION NO. (548-1987) Continued

- 4. Part B - Item 2 - Senior Citizen one day trips local  
Awarded to: Peter Brega
- 5. Part B - Item 3 - Senior Citizens one day trips-  
long distance  
Awarded to: Saddle River Tours- lav. equipped buses  
Rockland Coaches - non-lav equipped coaches

and be it

FURTHER RESOLVED, that said awards are subject to the receipt of

- a. Certificate of General and Automobile Liability Insurance Coverage each in the amount of \$1,000,000 (one million dollars)
- b. Certificate of Insurance shall also show evidence of Workers Compensation coverage. In addition Certificate must also name the Town of Clarkstown, its officers and employees as an additional insured.
- c. Successful bidders shall complete and submit the Save Harmless Agreement supplied with bid specifications (exhibit A).

and be it

FURTHER RESOLVED, that said award is effective on Monday, June 8, 1987.

Seconded by Co. Smith

On roll call the vote was as follows:

Councilman Carey.....Yes  
 Councilman Lettre.....Yes  
 Councilman Maloney.....Yes  
 Councilwoman Smith.....Yes  
 Supervisor Holbrook.....Yes  
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RESOLUTION NO. (549-1987)

AWARDING BID FOR BID #39-1987 - FOOD PRODUCTS TO BE SOLD AT TOWN OPERATED REFRESHMENT STANDS (KRAFT ROSENBLUM; MULLER DAIRIES; F. WILSON SMITH, INC.; PECHTER BAKING CO.; EMPIRE CANDY & TOBACCO; S. SCHAPPER GROCERY CO.; AND JET FOOD PRODUCTS

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 #39-1987  
 Food Products to be Sold at Town  
 Operated Refreshment Stands

is hereby awarded to:

Kraft Rosenblum  
 1 Pomperavg Office Building  
 Southbury, CT 06488

Continued on Next Page

RESOLUTION NO. (549-1987) Continued

Muller Dairies  
17 Klein Avenue  
West Nyack, NY 10994

F. Wilson Smith, Inc.  
22 Hudson Drive  
Stony Point, NY 10980

Pechter Baking Co.  
800 Pacific Street  
Brooklyn, NY 11238

Empire Candy & Tobacco  
19 Middletown Road  
Pearl River, NY 10965

S. Schaffer Grocery Co.  
27 Weyman Avenue  
P.O. Box 60  
New Rochelle, NY 10805

Jet Food Products  
237 Division Avenue  
Garfield, NJ 07026

as per the attached schedule of items/prices.

(Schedule of items/prices on file in Town Clerk's Office)

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (550-1987)

AUTHORIZING ATTENDANCE AT  
1987 HIGHWAY SCHOOL (JOHN  
O'SULLIVAN, CHARLES T.  
BURGIO AND HARRIET A.  
ROTHERMEL) - CHARGED TO  
A1010 - 414

Co. Maloney offered the following resolution:

RESOLVED, that John O'Sullivan, Superintendent of  
Highways, Charles T. Burgio, Deputy Superintendent of Highways, and  
Harriet A. Rothermel, Service Dispatcher, are hereby authorized to  
attend the 1987 Highway School at Cornell University, June 7 through  
June 10, 1987, and be it

FURTHER RESOLVED, that all proper charges be charged to  
A 1010-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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ABE650

RESOLUTION NO. (551-1987)

AUTHORIZING ATTENDANCE AT  
HIGHWAY DRAINAGE WORKSHOP  
(JOHN O'SULLIVAN, CHARLES  
BURGIO AND GEORGE DRESCHER)  
- CHARGED TO A1010-414

Co. Carey offered the following resolution:

RESOLVED, that John O'Sullivan, Superintendent of Highways, Charles Burgio and George Drescher, Deputy Superintendent of Highways, be authorized to attend the Highway Drainage Workshop June 29, 1987, in Middletown, New York, sponsored by the Cornell Local Roads Program, and be it

FURTHER RESOLVED, that all proper charges be charged against A 1010-414.

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

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RESOLUTION NO. (552-1987)

ACCEPTING PROPOSALS FROM  
ORANGE AND ROCKLAND  
UTILITIES, INC. FOR STREET  
LIGHTING AT WOODFERN  
HEIGHTS, NEW CITY

Co. Maloney offered the following resolution:

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

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

Woodfern Heights, New City  
Install (1) - 5800 lumens vapor street light on  
(1) laminated wood pole  
Increase to the Town \$115.08 plus E.F.C.  
Annual charges (\$115.08 per unit x 1 unit = \$115.08)

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

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RESOLUTION NO. (553-1987)

ACCEPTING PROPOSALS FROM  
ORANGE AND ROCKLAND  
UTILITIES, INC., FOR STREET  
LIGHTING AT FREEDMAN AVENUE  
AND PARK PALCE, NANUET

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (553-1987) Continued

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

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

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

NOW, THEREFORE, be it

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

- Freedman Avenue Nanuet  
(Existing pole #58430/40085 - (1) 5800 lumen sodium vapor street light)
- Park Place Nanuet  
(Existing pole #58810/39438 - remove (1) 4000 lumen mercury vapor, install (1) 5800 lumen sodium vapor)
- (Existing pole #58807/39459 - remove (1) 4000 lumen mercury vapor, install (1) 5800 lumen sodium vapor)
- (Install utility pole at guide rail at dead-end - (1) 5800 lumen sodium vapor on new pole)

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

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RESOLUTION NO. (554-1987)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENTS FOR ECONOMIC ASSISTANCE 1987

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized and directed to enter into agreements in a form approved by the Town Attorney, for the organizations listed below which provide services and programs for residents of the Town of Clarkstown which are deemed beneficial to Town residents, and which organizations shall receive the economic assistance amounts as set forth for the calendar year 1987.

<u>ORGANIZATION</u>	<u>'87 AMOUNT</u>
Camp Venture, Inc.	\$4,000
C.A.N.D.L.E.	\$4,000
Child Day Care of the Nyacks	\$2,000
Clarkstown Gridiron Club	\$3,600
Clarkstown Sports Club	\$2,400
Head Start/Nyack Community Child Development	\$3,000
Home Aides of Rockland	\$2,000
Nyack/Valley Cottage Little League	\$1,500
R.C. Assoc. for Children with Learning Disabilities	\$2,500
R.C. Center for the Physically Handicapped	\$2,000
R.C. Senior Babe Ruth League	\$ 700

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ABE650

RESOLUTION NO. (554-1987) Continued

Rockland Assoc. for Retarded Children	\$ 1,500
Rockland Center for the Arts	\$ 5,000
Rockland Senior Centers (Nutrition) Program	\$12,000
Shamrock Drum Corps, Inc.	\$ 2,900
Valley Cottage Indians, Inc.	\$ 3,600
West Street Day Care Center	\$ 2,600
Youth Activities Committee & Tigers Den	\$ 3,000

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

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RESOLUTION NO. (555-1987)

GRANTING PERMISSION TO  
 CONGERS I SENIOR CITIZEN  
 CLUB TO DISPENSE ALCOHOLIC  
 BEVERAGES (CONGERS I SENIOR  
 CITIZEN CLUB PICNIC,  
 CONGERS LAKE MEMORIAL PARK

Co. Lettre offered the following resolution:

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission  
 to the Congers I Senior Citizen Club to dispense alcoholic beverages  
 in accordance with and subject to Section 22-2A and 2B of the Town  
 Code at the following event:

Congers I Senior Citizen Club Picnic  
 Congers Lake Memorial Park  
 Wednesday, June 17, 1987

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (556-1987)

AUTHORIZING SUPERVISOR TO  
 ENTER INTO PERFORMANCE  
 AGREEMENT WITH JAMES F.  
 KNOTT DEVELOPMENT CORPORA-  
 TION (AS NEW OWNER OF LONG  
 CLOVE ROAD ASSOCIATES) AND  
 RELEASING THE BOND OF LONG  
 CLOVE ROAD ASSOCIATES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (556-1987) Continued

WHEREAS, James F. Knott Development Corporation, the successor in interest and new owner of the project known as Long Clove Road Associates has tendered a Performance Agreement and Bond of International Fidelity Insurance Company, and has requested that the bond of Long Clove Road Associates be released;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs the Supervisor to enter into the Performance Agreement referred to above, and accept the bond of International Fidelity Insurance Company to replace the bond previously provided.

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. (557-1987)

REFERRING PETITION FOR  
CHANGE OF ZONE (AFCO REALTY  
CORP.) AND SETTING PUBLIC  
HEARING FOR SAME

Co. Maloney offered the following resolution:

WHEREAS, AFCO REALTY CORP., 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 a R-40 District to an R-15 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 88, Block C, Lot 35.1;

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 shall 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 23rd day of June, 1987, at 8:25 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

Continued on Next Page

ABE650

RESOLUTION NO. (557-1987) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (558-1987)

AUTHORIZING ATTENDANCE AT  
ZONING ADMINISTRATION  
PROGRAM (TOWN ATTORNEY AND  
DEPUTY TOWN ATTORNEY) -  
CHARGE TO ACCOUNT NO. A  
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney and Deputy Town Attorney are hereby authorized to attend a Zoning Administration program to be held June 8 to June 10, 1987, in Grand Junction, Colorado at a fee of \$195.00 per person; and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (559-1987)

REFERRING PETITION FOR  
CHANGE OF ZONE TO  
CLARKSTOWN AND ROCKLAND  
COUNTY PLANNING BOARDS  
(GINA AUTO AND TIRE, INC.)  
AND SETTING PUBLIC HEARING  
FOR SAME

Co. Maloney offered the following resolution:

WHEREAS, GINA AUTO AND TIRE, INC., 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 Edward Greco, from a LO District to an CS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 120, Block A, Lot 12.01;

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

Continued on Next Page

RESOLUTION NO. (559-1987) Continued

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law shall 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 23rd day of June, 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. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (560-1987)

TERMINATING SERVICES OF BUS DRIVER (PAUL SCHWARTZ)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby terminates the services of Mr. Paul Schwartz, bus driver, effective May 13, 1987 pursuant to the terms of the Stipulation of Agreement dated January 6, 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. (561-1987)

ACCEPTING RESIGNATION OF MEMBER - CLARKSTOWN BICENTENNIAL (JOSEPH KUBRAN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Joseph Kubran, 36 Oak Road, New City, New York - Member - Clarkstown Bicentennial Commission - is hereby accepted, effective and retroactive to April 27, 1987.

Seconded by Co. Carey

On roll call the vote was as follows:

Continued on Next Page

ABE650

RESOLUTION NO. (561-1987) Continued

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

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RESOLUTION NO. (562-1987)

APPOINTING TO POSITION OF  
(TEMPORARY) TYPIST -  
BUILDING DEPARTMENT  
(DOLORES PIPER)

Co. Maloney offered the following resolution:

RESOLVED, that Dolores Piper, 21 Floral Court, Nanuet,  
New York, is hereby appointed to the position of (temporary) Typist  
- Building Department - at the current hourly rate of \$6.00 -  
effective May 13, 1987 - for a period not to exceed 2 weeks.

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

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RESOLUTION NO. (563-1987)

REFERRING AMENDMENT TO THE  
ZONING ORDINANCE TO THE  
CLARKSTOWN AND ROCKLAND  
COUNTY PLANNING BOARDS  
(MINIMUM LOT AREA - FEE  
SIMPLE TYPE OWNERSHIP) AND  
SETTING PUBLIC HEARING FOR  
SAME

Co. Carey offered the following resolution:

WHEREAS, a comprehensive amendment to the Zoning  
Ordinance of the Town of Clarkstown was adopted on June 30, 1967,  
and further amended from time to time, and

WHEREAS, the Town Board of the Town of Clarkstown  
desires to consider further amendment to the Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264  
of the Town Law be had at 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., to consider the adoption of the following proposed  
amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-19F by Deleting "No. 10":

Amend Section 106-10A, Table 19, Column 8, of the  
General Use Regulations, by Adding "No. 10":

\*10. The Planning Board may determine, on application  
for subdivision approval, if the site is appropriate for development

Continued on Next Page

RESOLUTION NO. (563-1987) Continued

with fee simple ownership-type units; in such cases, the minimum lot area for each dwelling shall be as determined by the Planning Board. The Planning Board may establish additional requirements." and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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, as aforesaid, and file proof thereof in the office of the said Clerk, and be it

FURTHER RESOLVED, that the above proposed amendment(s) be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their recommendations and report, as required by law.

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

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change - CS District to RS District - Guarino, was declared open, time: 8:20 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change - CS District to RS District, was declared closed, DECISION RESERVED, time: 8:35 P.M.

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On motion of Councilman Carey, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Special Permit to Conduct a Restaurant Accessory to Office Uses, was declared open, time: 8:36 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 8:47 P.M.

RESOLUTION NO. (564-1987)

GRANTING SPECIAL PERMIT TO  
CONDUCT RESTAURANT  
ACCESSORY TO OFFICE USES  
(OLORI, NANUET)

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, LIO District, Column 3, Section B, Paragraph 6 of the Zoning Ordinance of the Town of Clarkstown subject to conditions set forth in Section 106-14 and Section 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, more particularly described on the Clarkstown Tax Map as Map 33, Block B, Lot 20.0501, and

Continued on Next Page

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WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on the 12th day of May, 1987, at 8:10 P.M. to consider such application;

RESOLVED, that based upon the report of Robert Geneslaw, dated May 12, 1987, acting as staff to the Town Board, the Town Board hereby determines that it shall act as lead agency, and that the project shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required;

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:

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

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

1. Petitioner must comply with Section 106-16Q of the Zoning Ordinance of the Town of Clarkstown annexed hereto;
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. The granting of the special permit herein shall not be construed as approval for subdivision purposes; no authority for separate tax map designations is granted hereby. Site plan review shall not be limited to the portion of the site designated "Parcel 1" on the drawing accompanying the petition (Exhibit "A"), 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:

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

Continued on Next Page

RESOLUTION NO. (564-1987) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

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On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Violation Hearing - Map 55, Block A, Lot 13.27 - O'Bryan, was opened, time: 8:50 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Violation Hearing - Map 55, Block A, Lot 13.27 - O'Bryan, was closed, RESOLUTION ADOPTED, time: 9:00 P.M.

RESOLUTION NO. (565-1987)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES - MAP 55, BLOCK A, LOT 13.27 (O'BRYAN)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 353 dated March 24, 1987, the Town Board of the Town of Clarkstown duly instituted proceedings pursuant to Chapter 79 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 55, BLOCK A, LOT 13.27, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on May 12, 1987, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 79 of the Code of the Town of Clarkstown dated March 24, 1987, have not been corrected, and be it

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

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

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

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ABE650

RESOLUTION NO. (565-1987) Continued

Seconded by Co. Lettre

On roll call the vote was as follows:

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

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On motion of Councilman Lettre, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change - R-15 to RS - Bergstol, was opened, time: 9:01 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Zone Change - R-15 to RS - Bergstol, was closed, RESOLUTION ADOPTED, time: 9:18 P.M.

RESOLUTION NO. (566-1987)

AMENDING ZONING ORDINANCE  
OF TOWN OF CLARKSTOWN -R-15  
DISTRICT TO RS DISTRICT -  
ERIC BERGSTOL (CONGERS  
CORNERS)

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 7th day of April, 1987, at 8:30 P.M., provided for a public hearing on the 12th day of May, 1987, at 8:30 P.M., to consider the application of Eric Bergstol to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner from an R-15 District to an RS District, which is designated on the Clarkstown Tax Map as Map 142, Block A, Lots 32.21, 32.22 and 32.23, and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone 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

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-15 District to an RS District, the property described on Schedule "A", in the Hamlet of Congers, New York, in said Town, which is designated on the Clarkstown Tax Map as Map 142, Block A, Lots 32.21, 32.22 and 32.23, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Amendment to the Zoning Ordinance and that the Town Clerk cause the same to be published in the official newspaper of the Town and file proof thereof in the Office of the Town Clerk, as required by law.

(Description on File in Town Clerk's Office)

Continued on Next Page

RESOLUTION NO. (566-1987) Continued

Seconded by Co. Smith

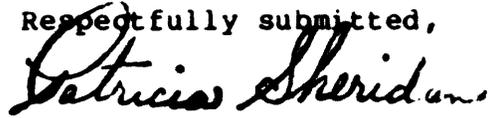
On roll call the vote was as follows:

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

\*\*\*\*\*

There being no one further wishing to be heard and no further business to come before the Town Board, the Town Board Meeting was declared closed, time: 9:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

ABE650

TOWN OF CLARKSTOWN  
PUBLIC HEARING

25

Town Hall

5/12/87

8:20 P.M.

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

RE: Zone Change - CS District to RS District - Guarino

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 Town Attorney testified as to proper posting and publication.

Town Attorney stated that he had correspondence from the Town of Clarkstown Planning Board dated May 8, 1987 regarding the referral of the zone change. Their recommendation is as follows:

"RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has reviewed the request of Guarino for change of zone from CS to RS to allow for mini-warehouse in relation to the existing land uses, the overall effect on the immediate area and the Comprehensive Plan and recommends that the petition be granted subject to the following conditions:

1. Applicant shall covenant that use shall be for mini-warehouse only,
2. Applicant shall return to the PB for site plan review and approval of said development,
3. Since this property is visible from N.Y.S. Thruway, it is respectfully suggested that coloration be of neutral or earthen tones, and that organe color not be permitted,
4. Erosion and sediment control plan shall be provided to satisfaction of Dept. of E.C.,
5. Official Map shows Route 59 as 80 ft. ROW. If required, provide road widening 40 ft. from center line of Route 59, and provide declaration for same to satisfaction of Town Attorney,
6. Applicant shall secure NYSDOT approval for access."

Town Attorney stated that he had also been notified by the Planning Consultant that SEQRA had not been completed as of this afternoon and as a result a memo was sent to the Town Board advising the Town Board that since SEQRA had not been completed the decision on the application should be reserved until it has been completed.

Town Attorney said he was sure that there is a report from the Rockland County Planning Board although it is not is his file and was probably sent directly to the Town Board.

Supervisor asked if the applicant was present.

Appearance: Donald Tracy, Esq.  
representing Paul, John and Joseph Guarino

Mr. Tracy stated that with respect to the report read from the Planning Board they agree and will comply with all of the requests and suggestions made therein. He said with regard to the SEQRA process not being completed they are at a loss to understand that since the only report they have received was a request at the last Planning Board meeting from the Planning Consultant that they study the type of vehicle that will go in and out of this particular establishment. The Town Board on this particular item is the lead agency as the approving authority. He said although they will defer to the Town Attorney's opinion that the Town Board should certainly not render a decision, either positive or negative, until it first makes a SEQRA determination, certainly all of the material for a SEQRA should be at the Town Board's disposal.

Mr. Tracy said the property is presently zoned CS. A determination was made by the Building Inspector that mini-warehouse

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uses are not permitted in the CS zone. To accommodate such a use it would have to be zoned RS. Therefore, on the notarized petition submitted by the owners, there is a covenant to the effect that the property will only be used for mini-warehouse use. Sometime ago there was a zone change on this parcel - back in 1974 when it was changed from LO to CS where certain covenants similar to the covenants presently requested were put into force and effect.

All that remains to be done outside of relying on the surveys and the petitioners is to make a case for mini-warehouse use. The RS uses and the CS uses are essentially similar so that basically uses which could be introduced on the property are very similar but perhaps of less magnitude than RS at the present time with the sole exception that you can't put mini-warehouses. The sole derogatory feature afflicting the property is its location on Route 59 and the traffic problem which would ordinarily exist should the property be utilized in a CS zone.

Mr. Tracy said he respectfully submits that it should be within everyone's knowledge that a mini-warehouse use is perhaps, ranking with a cemetery, the least intense use that could possibly be put in a RS or CS zone. He said he meant the least traffic intense so that it would appear that this is an opportunity to put a use on the property that the petitioner desires and that will have a beneficial effect on the town. It will introduce into an area that is traffic sensitive the least possible intense use permitted.

Mr. Tracy stated that with regard to the request of the Planning Board that the roofs of the mini-warehouse structure be of a neutral color he said his client would readily consent. The basic facts are that there has been a recommendation by the consulting agencies in favor of the zone change. That the zone change is a matter of common sense appears to be indicated because of its traffic ramifications.

Town Attorney introduced a report from the Rockand County Planning Board which read as follows:

"A granting of the zone change from CS to an RS zone will set a precedent for similar requests for spot zoning to intensify commercial zoning in Central Nyack. The Town should not grant changes parcel by parcel but should first undertake a comprehensive zoning analysis of the area to determine the desirable zoning pattern of the whole Central Nyack area."

Town Attorney stated that this correspondence was dated April 21, 1987 and is signed by William M. Chase, Commissioner of Planning.

Mr. Tracy said with respect to the report just read the Rockland County Planning Board seems to indicate that the whole area should be looked at in a comprehensive study of the area. Mr. Tracy said he would agree that perhaps the whole area should be looked at although it might constitute downzoning if his wish to have the whole area rezoned took the place of the wish the Honorable Town Board had. He further stated that with regard to the argument of spot zoning he said the Court of Appeals defined spot zoning in a similar case as "the singling out of a parcel of land for uses totally different than the surrounding uses for the benefit of that property owner and to the detriment of the other property owners."

Mr. Tracy said the parcel itself is presently situated in a residential commercial land use mix with single family homes co-existing with an automobile dealership, a lumber yard, an animal hospital, a roofing concern and a motorcycle dealership. In view of the fact that the property is presently zoned CS it would be unthinkable to him that anyone would make the allegation that an RS zone with a covenant permitting less traffic intense uses than CS could ever be considered spot zoning.

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Mr. Tracy stated that he would rest reserving his right to rebuttal.

Supervisor asked if the Town Board members had any questions.

Town Attorney stated that Mr. Bruckno was present and could comment further with respect to the SEQRA matter which caused the memo to be sent to the Town Board.

Mr. Bruckno stated that they had basically requested that the applicant provide some information on the types of vehicles that would be used in this facility especially in relation to the traffic on Route 59.

Supervisor asked if there was anyone present from the public who would like to make a comment or ask a question?

Appearance: Mr. Edward H. Carter  
Engel Street  
Central Nyack, New York

He asked where the driveways would be located as he was concerned with the ingress and egress.

Mr. Tracy said the recommendation from the Clarkstown Planning Board was that the applicant return for site plan review at which time the Planning Board would hold a public hearing and take input from the public. They would then make the determination as to where ingress and egress should be. The answer is that it is not pinned down yet.

Appearance: Ms. Marjorie Wesley  
Engel Street  
Central Nyack, New York

She asked what RS Zoning meant? Would she be able to do what she wanted with her house and would this change affect her?

Supervisor explained the RS zoning to her and the reason the applicant wanted it changed. He said her area is not the subject of the zone change and her property would remain LO even if the Town Board decided to change this property to regional shopping.

Councilman Lettre asked Mr. Bruckno when he expected to have a report to the Town Board. Mr. Bruckno said it depended on what information is submitted to them. Once they have the information it will be very quick. Supervisor said they would set a date for the decision - May 26, 1987.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 8:35 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

ABE650

Town Hall

5/12/87

8:36 P.M.

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

RE: SPECIAL PERMIT - OLORI - TO CONDUCT RESTAURANT

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

Town Attorney read correspondence from Clarkstown Planning Board as follows:

"RECOMMENDATION TO THE HONORABLE TOWN BOARD: The Planning Board has reviewed the Special Permit Request for Olori 33B20.0501 to allow for restaurant in an LIO zone in relation to the recent amendment to the Zoning Ordinance and the existing land uses, in particular since the restaurant will be located on the same site as the primary industrial use, and shall be accessory to such use. The Planning Board therefore recommends that the petition be granted subject to the following conditions and modifications:

1. The area shall not occupy more than 25% of the total floor area on the site;
2. Since the restaurant is proposed to serve the industrial area, not the general area, then no request shall be made for relief from parking criteria;
3. No additional freestanding sign shall be permitted;
4. No additional curb cut shall be permitted;
5. Expansion of the use of the restaurant shall not be permitted;
6. The concrete curbing to the south side of the parking area shall be extended along the westerly property line,
7. Wheel stops shall be stiped and placed along the westerly side of the macadam area,
8. An adequate outside grease trap for the proposed luncheonette shall be provided,
9. Minor corrective work will be required to eliminate ponding in the paved area and this shall be done to the satisfaction of the Dept. of E.C."

Town Attorney said this is dated May 1, 1987 and signed by Rudolph J. Yacyshun, Chairman.

Town Attorney stated that there was also a memorandum from Robert Geneslaw, Town Planning Consultant, dated May 12, 1987 regarding this special permit request. It is addressed to Mr. Olori.

"Dear Mr. Olori:

This is to inform you that we have received a Short Form Environmental Assessment Form and under the provisions of Title VI of the New York Code Rules and Regulations, Section 617.7 the Clarkstown Town Board has agreed to coordinate the review of the involved agencies. ...Our initial determination has been indicated on the second page of the short form EAF and is being distributed to all agencies listed below. If within fifteen calendar days from the date of this letter no involved agency copied below submits a written objection to the Clarkstown Town Board being lead agency the Town Board will be the lead agency and will carry out the provisions of the SEQRA. In the alternative the Town Board may designate itself as lead agency as no other agency has approval or funding authority."

Town Attorney stated that attached to this memorandum is a negative declaration signed by Donald S. Tracy, the preparer's signature and by Robert Geneslaw, as the reviewing agent:

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"The project will result in no major impact and therefore one which may not cause significant damage to the environment."

Town Attorney said he did not have the Rockland County Planning Board's report in his file but he was certain that one had been sent.

Supervisor asked if the applicant was present?

Appearance: Donald Tracy, Esq.  
Tracy & Bertolino

Mr. Tracy stated that he was the attorney for the applicant. He said this particular matter is a request for a special permit from the Town Board of the Town of Clarkstown. The property in question is located near the Highway Garage. It is the Olori family's building which is situated in an LIO zone and has various industrial uses. The Town Board in amending the column of special use permits under the LIO zone has, in effect, made a legislative finding that a restaurant accessory to the primary use of this one will be consistent with the public health, safety and welfare. For the sake of presenting the case we really treat special permit as a special exception. The two terms are used concurrently and a special exception means that you can have this use in a particular zone provided you can meet all the criteria.

Section 106-16Q which was only added on October 7, 1986 sets forth that criteria which is to be considered in addition to the other criteria. For the purposes of setting forth this criteria he said he would like to call one witness and that would be Shep Olori.

Mr. Tracy swore in Mr. Olori.

Appearance: Mr. Shep Olori  
Owner in Partnership of the Building

In response to Mr. Tracy's questions Mr. Olori stated that the proposed restaurant would be associated with offices and industrial uses and be located on the same site as the primary office and industrial use and be accessory to such uses. Mr. Olori said the restaurant will not occupy more than 25% of the total floor area of the lot or 2,500 square feet, whichever is less. Mr. Olori said there will be no additional free standing signs associated with the restaurant. He said no additional curb cuts will be requested or permitted. All applicable bulk lot and parking requirements will be met. He said he was willing to return to the Planning Board to receive site plan approval from them. He said he would provide at least one on site parking space for seventy-five square feet of gross restaurant area. The parking will be in addition to the parking provided for the office or industrial use.

Upon further questioning by Mr. Tracy, Mr. Olori stated that the property was appropriately located with respect to fire, police, public facilities and the like. He said in his opinion the introduction of this use on the site would not create any more detrimental use than what is already permitted by right on the site. He said in addition the introduction of the use on this site would not be in any way more detrimental to the public health, safety and welfare than the uses already on the site.

Mr. Tracy said the conditions which were requested to be imposed by the Planning Board can and will be complied with if this special permit use is granted.

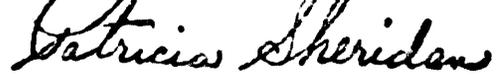
Supervisor asked if the Town Board members had any questions. No one did.

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Supervisor asked if anyone from the public had a comment or a question? No one did.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 8:47 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

RESOLUTION NO. (564-1987) ADOPTED

ABE650

TOWN OF CLARKSTOWN  
PUBLIC HEARING

33

Town Hall

5/12/87

8:50 P.M.

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

RE: VIOLATION ON PREMISES - MAP 55, BLOCK A, LOT 13.27  
O'BRYAN

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

Town Attorney stated that this was a Chapter 79 proceeding which was instituted by resolution of the Town Board adopted on March 24, 1987 with respect to property known as Map 55, Block A, Lot 13.27 reputedly owned by Richard O'Bryan and is located at 4 Kenwood Lane, New City, New York. The complaint by the Building Department to the Town Board indicated that the property suffered from lack of maintenance and had created a nuisance and hazard to the safety, health and welfare of the community in that there were four unregistered cars, plywood, lumber, miscellaneous furniture, garbage, debris, three lawn mowers, a car fender, miscellaneous car parts, a large pile of used lumber, bricks and cinder blocks in the rear yard and along the north side of the premises to the extent that such accumulation had caused a nuisance.

The Town Attorney stated that he had been authorized by the resolution to send an Order and Notice to the reputed property owners. The Order and Notice was prepared and forwarded by certified mail, return receipt, to one Richard A. O'Bryan at 4 Kenwood Lane, New City, New York and one Elizabeth C. O'Bryan, 4 Kenwood Lane, New City, New York on April 6, 1987. The certified mail was returned to the Town Attorney's office on or after April 22, 1987 with an indication that attempts to deliver the mail were made on April 7th, April 11th and April 22nd and it was returned because it was unclaimed. The Order referred to required the owner to make the corrections by removing the nuisance complained of within ten days and it also enclosed a copy of the Violation Notice dated March 18, 1987 to the same property owner with respect to the same matters.

Town Attorney stated that Mrs. Saccende, Code Inspector, had provided the Town Board with a report dated May 12, 1987 which shows that an inspection of the above described property on May 12, 1987 at 7:30 P.M. found the property to show very little improvement since the original violation of March 18, 1987. Two unlicensed cars have been removed. Two are still in the road right-of-way. The remainder of the property is just about the same.

Town Attorney then swore in Mrs. Saccende.

Appearance: Mrs. Irene Saccende,  
Code Enforcement Officer  
Town of Clarktown

Town Attorney asked Mrs. Saccende if the report she had provided to the Town Board represented her observations of the site as of this evening and if Mrs. Saccende had occasion to confer with the reputed property owner? Mrs. Saccende stated that she had attached to the report a letter that was sent to the Building Department by the property owner. Town Attorney asked if that was a letter dated March 30, 1987 and signed R. A. O'Bryan, Sr.? Mrs. Saccende replied that it was.

Town Attorney asked Mrs. Saccende to give the substance of that letter. She stated that the letter explained why he had not

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been able to clean up the property and why he had not gotten a permit for the deck that was added. She said at this point the property was not quite as bad but much the same condition as it was in the summer of 1986 at which time a violation was sent. It was improved slightly. The cars were removed and then they were brought back again. Two of the cars that were on the 1987 violation were also on the 1986 violation. She said to her knowledge, and to the Building Inspector's knowledge, they have never applied for a permit for the deck.

Town Attorney asked that except for the items indicated in her report as being removed, are the other matters contained in the resolution of the Town Board and the Order of the Town Board unaddressed and left the way they were? Mrs. Saccende stated that the lawn mowers had been moved but they were the only things that she saw that had been moved. Town Attorney asked if in Mrs. Saccende's opinion the condition that is existing on this property constituted an immediate danger to the health, safety and welfare of the community? She replied in the affirmative.

Mrs. Saccende's recommendation to the Town Board was that the Town undertake a cleanup of this property.

Town Attorney then asked Mrs. Saccende if she recognized a gentleman sitting in the audience. (Town Attorney pointed out Mr. O'Bryan.) Mrs. Saccende replied that she did not.

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

Supervisor asked if the property owner was present.

Appearance: Mr. Richard O'Bryan, Sr.  
Kenwood Lane  
New City, New York

Town Attorney told Mr. O'Bryan that he had the right to ask questions of Mrs. Saccende and that he also had the right to make a statement to the Town Board.

Town Attorney then swore in Mr. O'Bryan.

Mr. O'Bryan stated that in his letter he had explained that he and his two sons are at home. At the time the letter was written the boys were working six days a week and he was working seven days a week, which he does regularly. He then described the condition of the property and his plans to clean it up.

In answer to a question asked by the Supervisor Mr. O'Bryan said it would probably take him another three weeks to clean up the property. Supervisor said the Town seeks compliance with the Code. The deck issue is the least of the problems that Mr. O'Bryan has. The Town Board wants to see a genuine desire and progress in cleaning up the property. The Town Board members are willing to give you until June 1st to show considerable progress and then Mrs. Saccende will reevaluate the situation at that point. Supervisor referred to pictures taken and said the Town Board would rather have the homeowner comply with the code than the Town going in and cleaning it up.

Supervisor requested that on June 1st Mrs. Saccende reinspect and then advise the Board so that they will know how to proceed. In two and one half weeks some improvement can be made to the property. He said we are looking to get considerable compliance.

Town Attorney stated that a resolution had been prepared for the Board's consideration and the date could reflect the June 1st deadline. If at that time there has not been substantial compliance it would authorize the Superintendent of

Highways and the Building Inspector to obtain the removal of the debris and any necessary action would be assessed as a lien against the property. He said he would recommend the Town Board adopt a resolution which would authorize the Town to recover its expenses to date.

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. (565-1987) ADOPTED

ABE650

TOWN OF CLARKSTOWN  
PUBLIC HEARING

37

Town Hall

5/12/87

9:01 P.M.

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

RE: ZONE CHANGE - R-15 TO RS - BERGSTOL (CONGERS CORNERS)

On motion of Councilman Lettre, seconded by Councilman Carey and unanimously adopted, the Public Hearing was opened. Town Clerk read notice calling Public Hearing.

Town Attorney stated that he had correspondence from the Town of Clarkstown Planning Board dated May 4, 1987 with respect to this proposal which read as follows:

"RECOMMENDATION TO THE HONORABLE PLANNING BOARD: The Planning Board has reviewed the request for change of zone for the R-15 portion of the rear of three of the lots within filed SD Congers Corner, 142 A 32.20, in relationship to the surrounding area, the Comprehensive Plan and the new buffer area regulations and recommends that the petition be granted as the change is minor in nature and with the new buffer area regulations it is expected that the proposed change will not have adverse impact on the abutting residential properties."

Town Attorney also referred to the minutes of the Planning Board meeting of April 29, 1987 which reports substantially as above. Town Attorney said he had a memo dated February 13, 1987 from Kurian L. Kalarickal of the Department of Environmental Control which indicates that SEQRA has been carried out. Town Attorney said he had an Environmental Assessment Form prepared by David Johnson and signed by Ralph Loren from the Department of Environmental Control indicating that the project will have no significant impact or incur any significant damage to the environment.

Town Attorney stated that he had a report from the Rockland County Department of Planning dated April 21, 1987 which says that this matter is for local determination and is signed by William Chase, Commissioner of Planning.

Supervisor asked if the applicant was present.

Appearance: Donald S. Tracy, Esq.  
Tracy & Bertolino

Mr. Tracy stated that he was appearing as Counsel to Henry Horowitz, Esq. on this matter as Mr. Horowitz could not be present this evening. Mr. Tracy handed in the posting and mailing affidavits at this time.

Mr. Tracy referred to a map stating that the zone line, when it came around the curve, did not follow the property line thus leaving a shaded area of R-15 in an RS zone encumbering the property. Mr. Tracy passed a map to Town Board members which showed the property in question. In effect, on a lot with a depth of 200 square feet, this pie shaped deviation starts off at 0 feet and moves to about 100 feet at the end of the third lot. That unduly restricts, and in one particular lot would prevent, the development of the lot.

Mr. Tracy said the required buffer zone in an RS zone requires a 50% increase in a rear yard when adjacent to a residential zone. There is also now in force and effect a new buffer ordinance which very adversely affects small lots in commercial zones. Therefore, more than adequate protection exists as far as buffer areas and increased rear yard in this particular zoning situation. The report of the Rockland County Planning Board leaves it to local authority and the report of the Clarkstown Planning Board finds that there is no planning related difficulties.

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Mr. Tracy went on to state that it is not anticipated that the approval of this zone change will be of any magnitude whatsoever. It cannot constitute spot zoning. It does have the approval of the Planning Board. Mr. Tracy said this is a correction of a zone line to make the line conform to the property line which basically is a more proper way of handling zone lines. Mr. Tracy said he would rest and reserve his right to rebuttal.

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

Supervisor asked if anyone present wished to make a comment or ask a question.

Appearance: Mr. Lawrence Nolan  
60 Lakeland Avenue  
Congers, New York 10920

Mr. Nolan said that the last time there was a zoning question his property was left off the map for some unknown reason and he wanted to know if his property was on this particular map now. Mr. Nolan examined the map and found that his property was indicated thereon.

Mr. Nolan then asked what was intended to be done with the property since it is next to a school zone and there are a great many children.

Mr. Tracy said he was informed that it would probably be warehouse/office but he reiterated that he was aware that you have to increase the buffer zone by 50% in the rear yard when you are adjacent to residential zones. He said there is a new, additional buffer ordinance which has just been placed into effect by the Town which prohibits any parking of that nature in that rear yard so there will be more than adequate buffer.

Mr. Nolan said as it stands now they have a water runoff problem in the area both in his front and back yards and also in the street. He asked would this building have any effect on that?

Mr. Tracy said any building proposed in the area will have to go before the Planning Board for site plan review and they are very scrupulous in seeing that the applicant clears up water problems whether they be his own or someone else's.

Appearance: Mr. Richard Hale  
7 Amanda Lane  
Congers, New York

Mr. Hale stated that he lives about 100 yards west of the property in question next to Lakewood School. He stated that he was most concerned about the environmental impact and water problems in that he has a private well. Not knowing what this warehouse possibly would be used for he wished to be assured that there would be no chemical storage or storage of wastes that might possibly seep into the ground or leak and affect his well water.

Mr. Tracy said he is not familiar with what the proposed uses would be. However, they would be subject to our performance standards. He said he believed that they have sewers in 9W which would mean that there would be no further incursion of off site drainage onto Mr. Nolan's property. He added that the stream channel remains relatively undisturbed through Lots 4 and 5 and there is an extensive piping system which would take the water out to an invert on Route 9W. There would be no parking, loading or storage within 30 feet of the residential district so it would seem that maybe some of Mr. Nolan's environmental concerns would probably be dealt with in a more exemplary fashion when the matter comes into

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the Planning Board for site plan review. The Planning Board would, at that point, pin down the specific use, the specific drainage and the other specific utility problems in the area. They are usually pretty scrupulous about using an incoming development to clear up some of the problems which already exist in a settled development.

Councilman Carey said these questions could be answered more properly by Mr. Bollman, who is the Town Environmental Engineer and probably the best place for that would be the Planning Board's public hearing.

Mr. Tracy said Mr. Nolan can be assured that they would be properly addressed before that forum.

Mr. Nolan asked if the Planning Board would, upon site review, be aware that he does have a private well? Councilman Lettre stated that Mr. Nolan would be advised of that hearing and have a chance to speak before that board. Councilman Carey told Mr. Nolan to take nothing for granted - to be there and put the Planning Board on notice. He said to ask for a professional opinion as that is the only way to operate.

Supervisor advised Mr. Nolan to take a look at the Zoning Ordinance and he would find the uses permitted by right in the RS zone. Warehousing is probably what would be proposed but the specific uses will be set forth in the Code Book.

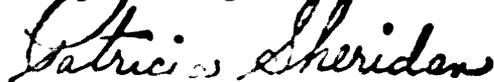
Appearance: Mr. Saul Slamowitz  
56 Lakeland Avenue  
Congers, New York

Mr. Slamowitz wanted it clarified that this would just be warehouse and not a shopping center. Supervisor said if you take a look at the depth of the RS district along Route 9W you will see there is no room there for regional shopping. Mr. Slamowitz reiterated that there is a school in the area.

Supervisor stated that what the Town Board has been trying to do along Route 9W is to get rid of the junk yards and all the garbage that is over there. He said we are interested in upgrading that area and some progress has been made with some of the junkyards.

There being no one further wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:18 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

RESOLUTION NO. (566-1987) ADOPTED

ABE650