

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

1

Town Hall

9/8/87

8:00 P.M.

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

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

Supervisor stated that the public portion was now open.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein stated that he had raised the question at the Thursday Workshop regarding the Clarkstown Code of Ethics which was initiated in 1964. He felt it was one of the best in the State. He quoted from sections of the Code, specifically Sections 9-3 A and 9-3 B and 9-8.

Mr. Bernstein recommended the distribution of the Code of Ethics to all employees and officials of the Town and recommended the creation of a blue ribbon panel to look into conflicts which had occurred over the past few years.

Supervisor Holbrook said that the Deputy Town Attorney is now looking into the Ethics Code of the State.

Mr. Bernstein said the Town's present law is much more restrictive and recommended the enforcement of the existing code.

Appearance: Mr. Jack Cuff
West Nyack, New York

Mr. Cuff said he had spoken last year regarding conflicts of interest in Town government. He suggested that the Town Board should get rid of the ordinance or enforce it.

Supervisor Holbrook said there are two things specifically in our code: the conflict of interest and disclosure which will be enforced until modified or changed.

Appearance: Mr. John Lodico
New City, New York

Mr. Lodico spoke regarding the proposed recycling plan to be initiated by the Town saying it was a folly and a farce unless it was made mandatory as voluntary would not work. He said it would take \$200,000.00 to maintain it and the Town of Clarkstown will never get \$50,000.00 from the Village of Nyack and the Village of Spring Valley will not give a dime. He said we will only get the \$50,000.00 from the Village of Upper Nyack. Mr. Lodico suggested that the Town get the money first and then get the equipment because he did not believe that they would be able to get the necessary funds.

Appearance: Mr. Steven Kunis
Windgate Drive
New City, New York

Mr. Kunis said he had met with some of the Town Board members regarding Resolution No. 800-1987 which had been offered by Councilman Lettre. This resolution indicates that for purposes of the New York State Environmental Quality Review Act, the Town Board determines that it shall be and act as the lead agency and shall select such consultants at the expense of the applicant, be it Pyramid or Clinton Square Plaza, as it deems necessary to assist the Town Board with respect to SEQRA. He went on to refer to the clause

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which referred to the preparation of a three part environmental assessment form to commence the SEQRA process.

Mr. Kunis said he had asked Councilman Lettre if the Town Board selected the independent agency to review the Pyramid proposal and was told no, the Town Board does not do this. He asked for an explanation as the resolution clearly indicates that the Town Board shall serve as the lead agency. He asked if the Town Board had selected an independent consultant to review the Pyramid proposal and if not, why hasn't it been done in a month?

Councilman Lettre said Mr. Kunis was absolutely correct and that the resolution says exactly what it is meant to say. The Town Board will be and is the lead agency in the SEQRA and the DEIS review. The Town Board will select the company to review the SEQRA process which will take place. Pyramid will have its representative, or whomever they deem, do the study. That study will then be scrutinized and gone over by a representative that the Town Board picks to go over the validity and accuracy of the proposal made by Pyramid.

Mr. Kunis said that is not what the resolution which you proposed states. Mr. Kunis reiterated that the resolution states that the Town Board will appoint an independent engineer.

Supervisor said the Town Board will do what the resolution says. Councilman Lettre stated again that the Town Board is going to be the lead agency. The Town Board is going to review the SEQRA process. The Town Board is going to hire or retain whomever we deem to be the agency to review the SEQRA and the DEIS after it is done by Pyramid.

Mr. Kunis asked the Supervisor if he was saying that Pyramid was going to do this and not the Town Board? Supervisor said the Town Board is the lead agency. The development of the SEQRA will be someone selected by the Town Board whom the applicant will pay - defray the cost. Mr. Kunis said that was the way he understood it - the way the Supervisor is stating it - but that is not the way Councilman Lettre is explaining it.

Town Attorney said the regulations established by the State Department of Environmental Conservation, Part 617, do not permit the lead agency to select the person or persons who shall prepare the draft environmental impact statement. That has been specifically left to the applicant to select. It does, however, permit the Town as lead agency to select whatever consultants it deems necessary to review the DEIS which is prepared by the applicant. What Mr. Lettre was saying and what Mr. Holbrook was saying, if that is what they were saying, is correct. The Town is not going to prepare the DEIS because the applicant has not indicated a willingness to allow the Town to prepare it. However, the Town will select consultants in accordance with that resolution to review the DEIS, to make comments and to provide the scoping information necessary.

Supervisor said he stands corrected on that point.

Town Attorney said that it is a little bit technical but it is a little bit different than what the Supervisor was assuming.

Mr. Kunis said the resolution should be made clearer and before you approve the minutes of this meeting tonight he felt the resolution should be clarified. The public certainly understood it to be a lot different when the resolution was proposed.

Councilman Lettre said the resolution is quite clear and for those who understand the law it is very clear.

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Mr. Kunis said we do not expect the Town to be responsible for the report and we know that Pyramid is going to pay for the report. He said he would expect the Town to be responsible for selecting an independent consulting firm and he thought the Town should have a say in the independent consulting firm as per the resolution.

Councilman Lettre said that is what the Town Board will do for the review which is exactly what it should do and what it is permitted to do under law.

Mr. Kunis said over the past two weeks he has heard many comments about mandatory drug testing for our police department. He said there should be mandatory financial and corporate disclosures for our Town Board members. He said it is important, as Mr. Bernstein and Mr. Cuff commented, and in going through the Town Board minutes there is the appearance of many potential conflicts of interest. He said the Town Board has a responsibility to the public to immediately look into these conflicts of interest. He said it was not right that a Town Board member can sit up on the dais and abstain from voting on a lighting project in a development off Strawtown Road which was purchased from the Spring Valley Water Company or Rivervale Holding Company and say that his brother is developing the land and he believed that was what was said. He asked Councilman Lettre if he had abstained because his brother was developing the land. Councilman Lettre said if that is accurate, that is correct.

Mr. Kunis said that is what was said in the minutes. He said he believed that if you are the Vice President of MCL Building Company that you should tell the public when you sit up here that you are the Vice President of MCL Building. Not that it is your brother's corporation but that you are an officer of that corporation. He said Councilman Lettre owes it to the Town and to the public to tell them that he is involved with MCL Building as the Vice President of that corporation. It is not just your brother's corporation - you are involved with it too. You cannot do that to the public. It is not fair. You have to be honest and forthright and he said he immediately called for this Town Board to have a mandatory disclosure of all corporate and public and private holdings immediately.

Councilman Lettre said that it is political season. He said he has stated on the record and consistently during his term of office and he will consistently do the same that any time that he felt there was any possible conflicts of interest or any possible appearance of a conflict of interest to abstain. He said he will continue to do so and he said Mr. Kunis should tell the people that he (Mr. Kunis) is politically grandstanding, attempting to throw mud, attempting to devoid himself of the issues of the campaign. He called for Mr. Kunis to deal with the real issues of the campaign such as taxes, senior citizen programs and other things important to the people of the Town of Clarkstown and not the mud slinging which he chooses to do. Councilman Lettre said his record of service to this community stands. He said his record of abstaining when he felt it was proper stands and he stands by that record.

Mr. Kunis said he is sure that Councilman Lettre stands by his record but that this could not be considered political mud slinging. Two residents of Clarkstown came up this evening and mentioned conflicts of interest. This is not political mud slinging. These are facts that the residents of the Town of Clarkstown are entitled to know. These are facts which constitute a massive conflict of interest in government and government is meant to be of the people, by the people and for the people and not of the few, for the few and by the few. He said the facts are going to be brought forward during this campaign and let the people decide. They are going to know the facts and they are going to know the facts of Mr. Lettre as an eight year incumbent because they deserve

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to know the facts. He said you better believe we should be taking care of the young people and the senior citizens. He said 34% of Councilman Lettre's votes on zone changes have decreased tax ratable property in the Town of Clarkstown. He said you sit on the Town Board now and your brother is coming before the Town Board for a massive zone change. In 1981 you publicly stated that you were against this massive, high density zone, 25 units to an acre. Mr. Kunis said it is absurd. This is not mud slinging. These are facts and the public deserves to know it.

Supervisor asked Councilman Lettre if he wished to respond and Councilman Lettre said he was not going to allow the Town Board to turn into a political forum. He said there will be plenty of time for politicking. He said he welcomed Mr. Kunis bringing the facts before the people and he said he will do the same about Mr. Kunis' character and the way that he has handled himself in the Town of Clarkstown. He said he stands by his record and he is proud to run on it.

Supervisor Holbrook asked Town Attorney if item No. 1 is requiring an environmental impact statement before any decision can be made or can a decision be made? Town Attorney asked if the Supervisor was referring to AFCO? Town Attorney said he had a report from Mr. Geneslaw dated August 11th that addresses the SEQRA issue. He said that Wes Bruckno was here and he would like him to explain the position of the consultants.

Supervisor said the applicant, before the Town Board can consider this matter further, shall be required to prepare and submit to the Planning Board a draft environmental impact statement, is that correct? Town Attorney said that is what it is saying. He did not know the details but that it is the import of the resolution. Supervisor said he felt that at the very minimum that is what should be required at this point. He asked if any Board member wished to comment?

Town Attorney said this petition involves property that will have to be filled. Supervisor said this is not a decision regarding the zone but one regarding the environmental impact statement.

RESOLUTION NO. (847-1987)

REQUIRING AFCO REALTY CORP.
TO SUBMIT A DRAFT ENVIRONMENTAL
IMPACT STATEMENT TO
CLARKSTOWN PLANNING BOARD

Supv. Holbrook offered the following resolution:

WHEREAS, by Resolution No. 557-1987, adopted on May 12, 1987, the Town Board determined to hold a public hearing with respect to the requested zone change petition of AFCO REALTY CORP., and

WHEREAS, a public hearing was scheduled for August 11, 1987 at 8:35 P.M., and

WHEREAS, pursuant to said resolution Robert Geneslaw was directed to act as staff for the Town Board as lead agency, to comply with the provisions of the State Environmental Quality Review Act (SEQRA), and

WHEREAS, by report dated August 11, 1987 by Robert Geneslaw, a recommendation has been made that the Town Board determine that the petition for a change of zone is likely to have a significant environmental impact;

NOW, THEREFORE, be it

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RESOLUTION NO. (847-1987) Continued

RESOLVED, that the Town Board hereby determines that the petition of AFCO REALTY CORP., for a change of zone from an R-40 District to an R-15 District on property designated on the Clarkstown Tax Map as Map 88, Block C, Lot 35.01 shall have significant environmental impact and the report of Robert Geneslaw, dated August 11, 1987, is hereby adopted pursuant to the provisions of SEQRA, and be it

FURTHER RESOLVED, that before the Town Board shall consider this matter further, the applicant shall be required to prepare and submit to the Planning Board a Draft Environmental Impact Statement.

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. (848-1987)

RESCINDING RESOLUTION NO.
448-1987 (B) RE STREET
LIGHTING AT WEST SLOPE
STREET, VALLEY COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, at the recommendation of Kurian L. Kalarickal, Deputy Director, Resolution No: 448-1987 part (B) is hereby rescinded.

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. (849-1987)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC. RE: STREET
LIGHTING AT WEST SLOPE,
VALLEY COTTAGE; HARRISON
AVENUE, CONGERS; AND TWIN
POND PARK, CONGERS

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 proposals from Orange and Rockland Utilities, Inc., for street lighting at:

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RESOLUTION NO. (849-1987) Continued

(A) West Slope, Valley Cottage

Install: 1 - 5800 lumens sodium vapor street light on laminated wood pole
Increase to the Town: \$115.08 plus E.F.C.
Install: 1 - 9500 lumens sodium vapor street light on pole #61262/40933
Increase to the Town: \$130.20 plus E.F.C.

(B) Harrison Avenue, Congers

Install: (6) - 5800 lumens sodium vapor street lights on laminated wood poles
Increase to the Town: \$690.48 plus E.F.C.
Annual Charges: \$115.08 per unit x 6 units = \$690.48

(C) Twin Pond Park - Congers

Install: Five (5) 5800 lumens sodium vapor street lights on five (5) laminated wood poles
Increase to the Town: \$575.40 plus E.F.C.
Annual charges: \$115.08 per unit x 5 units = \$575.40

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. (850-1987)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING AT ROUTE 304,
BARDONIA (VILLAGE GREEN
CONDOMINIUMS)

Co. Maloney offered the following resolution:

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

NOW, THEREFORE, be it

RESOLVED, based upon the recommendation of Patricia A. Betz, Service Investigation Clerk of the Town of Clarkstown hereby accepts proposals from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

Route 304 Bardonia
(At entrance to Village Green Condominums)
Existing pole #59260/40060 - One (1) 46000 lumen sodium vapor street light)

Seconded by Co. Carey

On roll call the vote was as follows:

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RESOLUTION NO. (850-1987) Continued

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

RESOLUTION NO. (851-1987)

ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETING
OF AUGUST 11, 1987

Co. Carey offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board meeting of August 11, 1987 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (852-1987)

AUTHORIZING BUILDING
INSPECTOR TO OBTAIN BIDS
FOR REMOVAL OF VIOLATION ON
PREMISES - MAP 88, BLOCK A,
LOT 28.01 (O & R - LOUIS B.
CONWAY)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice pursuant to Chapter 79-3 of the Code of the Town of Clarkstown dated May 5, 1987, has not been corrected, and

WHEREAS, pursuant to resolution adopted June 23, 1987, the condition was to be corrected on or before September 1, 1987;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to obtain bids pursuant to Section 103 of the General Municipal Law, if required, with the assistance of the Director of Purchasing to obtain a contractor to perform the corrective action ordered in said Order and Notice, as required by the Building Inspector, and the expenses incurred with respect to the removal of the nuisance consisting of sections of trees, branches, grass clippings, piles of leaves, broken lawn furniture and miscellaneous litter, debris and garbage scattered over the property, and all other action which is necessary, to correct the condition, and the costs of investigation and the proceedings herein shall be assessed as a lien against the property, and be it

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

Seconded by Co. Maloney

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RESOLUTION NO. (852-1987) 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. (853-1987)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
THREE (3) HYDRANTS ON WEST
SIDE OF HARRISON AVENUE
NORTH OF HOWARD STREET

Co. Maloney offered the following resolution:

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

Three (3) hydrants as follows:

W/S Harrison Ave. 422' N/O Howard Street
W/S Harrison Ave. 1,042' N/O Howard Street
W/S Harrison Ave. 1,542' N/O Howard Street

Investigation No.: 10139, and be it

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

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. (854-1987)

REFERRING PROPOSED
AMENDMENT OF TOWN CODE TO
TOWN AND COUNTY PLANNING
BOARDS (SECTION 106-3
"DEFINITIONS" AND SECTION
106-10(B), TABLE 16, TABLE
OF GENERAL BULK REGULATIONS

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown Planning Board has
recommended to the Town Board the amendment of Section 106-3
"Definitions" and Section 106-10(B), Table 16, Table of General Bulk
Regulations, to better define buffer and buffer area and to provide
for more flexibility in the determination in buffer requirements, and

WHEREAS, the Town Planning Consultant has proposed
amendment of Section 106-3 "Definitions" and Section 106-10(B),
Table 16, by memo dated September 4, 1987;

NOW, THEREFORE, be it

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RESOLUTION NO. (854-1987) Continued

RESOLVED, that the Town Board hereby refers the proposed amendment to the Clarkstown Planning Board for its study and recommendation on or before October 31, 1987, and be it

FURTHER RESOLVED, that the proposed amendment is hereby referred to the Rockland County Planning Board for report pursuant to Sections 239-1 and 239-m of the General Municipal Law, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Councilwoman Smith asked the Supervisor to explain that the property referred to in the following resolution is just being declared surplus. Supervisor said the method of disposal, if the Town Board decides that, will be determined later. Councilwoman Smith said if it does not bring in fair market value even by bid or by purchase what happens to it - will it revert back to our property? Town Attorney said it remains in the inventory of surplus property.

RESOLUTION NO. (855-1987)

DECLARING TOWN PROPERTY AS SURPLUS MUNICIPAL PROPERTY AND AUTHORIZING SALE OF SAME (MAP 105, BLOCK A, LOT 33.01 - ROUTE 303, WEST NYACK, NEW YORK (ADJACENT TO CLARKSTOWN SANITARY LANDFILL))

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown is the owner of premises designated on the Clarkstown Tax Map as Map 105, Block A, Lot 33.01, and which premises is located on Route 303, West Nyack, New York, in the vicinity of and adjacent to the Clarkstown Sanitary Landfill, and

WHEREAS, said premises was acquired on or about August 31, 1976, by purchase from Harmon Foods, Inc., at a time when the property was necessary for access to the Clarkstown Sanitary Landfill, and

WHEREAS, the development of the Clarkstown Sanitary Landfill has resulted in said premises no longer being necessary for access to same, and

WHEREAS, the Director of Environmental Control has recommended that the premises be declared surplus municipal property so that same may be disposed of by the Town Board in accordance with law;

NOW, THEREFORE, be it

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RESOLUTION NO. (855-1987) Continued

RESOLVED, that the premises described herein is hereby declared surplus municipal property as same is no longer required for any municipal purpose, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized to obtain the services of a licensed land surveyor to survey said surplus property and, if necessary, the services of a qualified appraiser or appraisers to determine the reasonable market value for said premises, and be it

FURTHER RESOLVED, that the Town Attorney is hereby requested to submit a report in writing indicating methods by which the Town may dispose of the surplus property declared herein, and be it

FURTHER RESOLVED, that this resolution is subject to confirmation that the premises described herein was acquired for municipal purposes and not for park purposes.

John Lodico said that with all due respect to the resolution it does not clearly define the intent of the removal of this piece of very valuable property from our Town Commercial Bank. He said that this piece of property will bring market value. It is .93 acres. You don't need a surveyor. It is the most valuable piece of land we have. He said he thought that the resolution should include that this piece of land is being sold for the purpose of developing another piece of property northerly of this to which I have no objection as a taxpayer but I think that there should be a reversal clause in this resolution so that if the intent which is to sell this property to the adjoining property to the north is not accomplished for that particular fact that it remains in the Clarkstown land bank. He said that the corporate structure that wants this piece of property should get it but should pay top value. It is the key to a very valuable piece of land in back of it and if the intent of the corporate entity to the north of it is not resolved, then it should not be sold and there should be a reversal clause in it.

He also said that dealing with voluntary recycling, we have a program of pick up in the Town that we pick up once a year. This is paid for by the taxpayers and those people are not even supporting the resolution. You are seeing trees on the road, pieces of equipment that are 10 to 12 feet long and I think that the intent of the Town to keep our Town clean is appropriate but the people that are putting the stuff out on the street should incorporate the rules that say nothing larger than 5 feet. Trees and branches should be bundled 5 feet and unless it is done that way, then they should have a private contractor pick it up.

Supervisor Holbrook asked the Town Attorney if there is a problem in the resolution with the reverter clause?

The Town Attorney said he did not believe there is. He said he did not have an opportunity to check the title and it is more or less just a little safeguard. He said he did not believe this property was acquired as park land but if it was, it would have to take an act of the State Legislature.

The Supervisor asked if there was any problem in terms of the purpose if it is not met?

The Town Attorney said this resolution in no way binds the hands of the Town Board to offer it for sale. It merely declares the property to be surplus and he said he would be submitting a report outlining the alternatives the Town has to dispose of it if the Town chooses to dispose of it.

Seconded by Co. Maloney

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RESOLUTION NO. (855-1987) 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. (856-1987)

AUTHORIZING THE
SUPERINTENDENT OF HIGHWAYS
TO INSTALL A STOP SIGN ON
WHITE STREET AT SECOND
AVENUE, SPRING VALLEY

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Traffic and Traffic Fire Safety Advisory Board, the Superintendent
of Highways is hereby authorized to install:

A STOP sign on White Street at Second Avenue,
Spring Valley, New York,

and be it

FURTHER RESOLVED, that the Town Clerk be directed to
forward copies of this resolution to the Superintendent of Highways,
John O'Sullivan, for implementation.

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. (857-1987)

AUTHORIZING THE
SUPERINTENDENT OF HIGHWAYS
TO INSTALL ADDITIONAL 30
MPH SIGNS ON GRANDVIEW
AVE., NANUET, NY

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Traffic and Traffic Fire Safety Advisory Board, the Superintendent
of Highways is hereby authorized to install:

Additional 30 MPH signs to be posted along
Grandview Avenue, Nanuet, N.Y., just North and
South of the 4-Way Stop at the intersection of
Grandview Ave. and Prospect St. and just North
of the intersection of Grandview Ave. and
Convent Rd.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to
forward copies of this resolution to the Superintendent of Highways,
John O'Sullivan, for implementation.

Seconded by Co. Smith

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RESOLUTION NO. (857-1987) 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. (858-1987)

TRANSFERS OF FUNDS FOR
VARIOUS ACCOUNTS

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account No. DB 5110-381 (Highway-Bituminous) and Revenue Account No. 04-102999 (Unexpended Balance) by \$200,000 and be it

FURTHER RESOLVED, to decrease Appropriation Account No. DA 5120-409 (Highway Bridge Account-Fees for Services) by \$27,420 and Appropriation Account No. DB 5110-219 (Highway-Misc. Equipment) by \$3,437 and increase the following Appropriation Accounts:

DA 5130-219 (Misc. Equipment)\$20,300
DA 5130-306 (Maint. Supplies)..... 40
DA 5130-447 (Equip. Repairs)..... 7,000
DA 5142-443 (Equip. Rental)..... 80
DB 5110-319 (Misc. Supplies)..... 453
DB 5110-380 (Paint)..... 449
DB 5110-408 (Bldg. Repairs)..... 2,535

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. (859-1987)

DECREASING APPROPRIATION
ACCOUNT A 3020-230 AND
INCREASE APPROPRIATION
ACCOUNT A 3020-110

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 3020-230 and increase Appropriation Account A 3020-110 by \$1339.

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. (860-1987)

TRANSFERS OF FUNDS FOR
VARIOUS ACCOUNTS

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A
1990-505 by \$27,000 and increase the following Appropriation Account
Numbers:

- A 1010-414 (Councilmen-Conferences & Schools)..\$2,500
- A 1660-409 (Archival Storage-Fees for Services) 1,000
- A 3320-409 (Installation of Traffic Signals-
Fees for Services).....9,000
- A 5650-409 (Commuter Parking-Fees for Services) 6,000
- A 5650-419 (Commuter Parking-Misc. Services).... 100
- A 8511-409 (Community Beautification-Fees for
Services)..... 200
- A 8511-412 (Community Beautification-Misc. Ser.). 100
- A 9710-409 (Debt Services-Fees for Services)....8,100

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. (861-1987)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-002130 (SFL CHARGES) AND
APPROPRIATION ACCOUNT NO. A
8160-307 (SLF-UNIFORMS)

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No.
01-002130 (SFL Charges) and Appropriation Account No. A 8160-307
(SLF-Uniforms) by \$273.00.

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. (862-1987)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-002130 (REFUSE &
GARBAGE) AND APPROPRIATION
ACCOUNT NO. A 8160-219
(MISC. EQUIPMENT)

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No.
01-002130 (Refuse & Garbage) and Appropriation Account No. A
8160-219 (Misc. Equipment) by \$4,700.00.

Continued on Next Page

ABE667

RESOLUTION NO. (862-1987) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (863-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #66-1987 -
ATHLETIC FIELD CONDITIONER

Co. Carey offered the following resolution:

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

BID #66-1987
ATHLETIC FIELD CONDITIONER

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Friday,
September 18, 1987 at which time bids will be opened and read, and
be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (864-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #67-1987 -
OFFICE FURNITURE

Co. Carey offered the following resolution:

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

BID #67-1987
OFFICE FURNITURE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday,
September 21, 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.

Continued on Next Page

RESOLUTION NO. (864-1987) Continued

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (865-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #68-1987 -
SALE OF SURPLUS/OBSOLETE
VEHICLES

Co. Carey offered the following resolution:

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

BID #68-1987
SALE OF SURPLUS/OBSOLETE VEHICLES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, October
2, 1987 at which time bids will be opened and read, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (866-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #69-1987 -
UTILITY SHOP TRUCK WITH
CRANE

Co. Carey offered the following resolution:

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

BID #69-1987
UTILITY SHOP TRUCK WITH CRANE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
October 7, 1987 at which time bids will be opened and read, and be it

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

Continued on Next Page

ABE667

RESOLUTION NO. (866-1987) Continued

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (867-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #70-1987 -
REPLACEMENT PARTS FOR
HYDRAULIC CLAW AT
CLARKSTOWN HIGHWAY DEPT.

Co. Carey offered the following resolution:

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

BID #70-1987
REPLACEMENT PARTS FOR HYDRAULIC CLAW
AT CLARKSTOWN HIGHWAY DEPT.

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday,
September 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. 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. (868-1987)

AUTHORIZING EXTENSION OF
TIME BY WHICH PLANNING
BOARD MUST RESPOND TO
REFERRAL OF ZONE CHANGE
(PARKER-NANUET ASSOCIATES)

Co. Smith offered the following resolution:

WHEREAS, by resolution dated July 28, 1987, the Town
Board referred a petition for a proposed zone change affecting
property referred to the Town of Clarkstown Planning Board, as
follows:

1. Redistrict property from an LIO district to an MF-2
district on property designated on the Clarkstown Tax Map as Map
164, Block A, Lots 1 and 2.01;

Continued on Next Page

RESOLUTION NO. (868-1987) Continued

2. Redistrict property from a PED district to an MF-2 district on property designated on the Clarkstown Tax Map as Map 164, Block A, part of Lots 12.02 and 12.03;

3. Redistrict property from an LIO district to a PED district on property designated on the Clarkstown Tax Map as Map 164, Block A, part of 13.2, and

WHEREAS, the Planning Board has requested that the time within which to make its recommendation be extended until completion of the Draft Environmental Impact Statement (DEIS), which is not expected for several months from the date hereof;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby extends the time within which the Planning Board must respond to the referral made to it on July 28, 1987, until thirty days after the completion of the DEIS.

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. (869-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
(STARKE V. ZONING BOARD OF
APPEALS)

Co. Maloney offered the following resolution:

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

IN THE MATTER OF THE APPLICATION OF

JOHN STARKE AND DEANE STARKE,
Petitioners,

-against-

ZONING BOARD OF APPEALS, TOWN OF CLARKSTOWN
Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

ABE667

RESOLUTION NO. (870-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING (NEW
JERSEY TRANSIT RAIL
OPERATIONS RE: ARTICLE 78
PROCEEDING AND DECLARATORY
JUDGMENT

Co. Maloney offered the following resolution:

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

APPLICATION OF NEW JERSEY TRANSIT RAIL
OPERATIONS, A DIVISION OF NEW JERSEY
TRANSIT CORPORATION,

Petitioner,

FOR A JUDGMENT PURSUANT TO ARTICLE 78
OF THE CPLR AND A DECLARATORY JUDGMENT
PURSUANT TO CPLR SEC. 3001

-against-

JOSEPH T. ST. LAWRENCE, COMMISSIONER
OF FINANCE, COUNTY OF ROCKLAND, CLARA M.
WILLIAMS, I.A.O., TAX ASSESSOR, TOWN OF
RAMAPO, EILEEN M. BOHNER, RECEIVER OF
TAXES AND ASSESSMENTS, TOWN OF ORANGETOWN,
and MARIE GERONIMO, RECEIVER OF TAXES, TOWN
OF CLARKSTOWN,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. 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. (871-1987)

AUTHORIZING BUILDING
INSPECTOR TO OBTAIN BIDS
FOR REMOVAL OF VIOLATION ON
PREMISES MAP 55, BLOCK A,
LOT 13.27 (O'BRYAN)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and
Notice pursuant to Chapter 79-3 of the Code of the Town of
Clarkstown dated March 24, 1987, has not been corrected, and

WHEREAS, pursuant to Resolution No. 565 adopted May 12,
1987, the condition was to be corrected on or before June 1, 1987;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (872-1987) Continued

RESOLVED, that the Superintendent of Highways is hereby authorized to obtain bids pursuant to Section 103 of the General Municipal Law, if required, with the assistance of the Director of Purchasing to obtain a contractor to perform the corrective action ordered in said Order and Notice, as required by the Building Inspector, and the expenses incurred with respect to the removal of the nuisance consisting of the front hood, fender and grill frame of a car, an unlicensed car and broken glass on the premises, and all other action which is necessary, to correct the condition, and the costs of investigation and the proceedings herein, shall be assessed as a lien against the property, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (872-1987)

AUTHORIZING BUILDING
INSPECTOR TO OBTAIN BIDS
FOR REMOVAL OF VIOLATION ON
PREMISES - MAP 7 BLOCK E,
LOT 10 (CLYDE BROWN)

Co. Carey offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice pursuant to Chapter 79-3 of the Code of the Town of Clarkstown dated December 31, 1986, has not been corrected, and

WHEREAS, pursuant to Resolution No. 1263 adopted December 31, 1986, the condition was to be corrected on or before February 20, 1987;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways is hereby authorized to obtain bids pursuant to Section 103 of the General Municipal Law, if required, with the assistance of the Director of Purchasing to obtain a contractor to perform the corrective action ordered in said Order and Notice, as required by the Building Inspector, and the expenses incurred with respect to the removal of the nuisance consisting of a truck chassis, two dumpsters, a large delivery truck, four unregistered vehicles, four engines, a stationary engine, truck cab, R.V. body, two steel tanks, truck and auto tires, several batteries, and all other action which is necessary to correct the condition, and the costs of investigation and the proceedings herein, shall be assessed as a lien against the property, and be it

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

Seconded by Co. Maloney

Continued on Next Page

ABE667

RESOLUTION NO. (872-1987) 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. (873-1987)

AUTHORIZING ATTENDANCE AT
SEMINAR ON SOLID WASTE
MANAGEMENT (BRICKWOOD AND
ARANEO) - CHARGE TO ACCOUNT
NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Brickwood, Deputy Director,
Department of Environmental Control and Michael Araneo, Landfill
Supervisor of the Town of Clarkstown, are hereby authorized to
attend a seminar on Solid Waste Management to be held on September
28 and 29, 1987, at Bonnie Castle, Holland Street, Alexandria Bay,
New York, and be it

FUTHER RESOLVED, that all proper charges be charged
against appropriation account # A 1010-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (874-1987)

AUTHORIZING SUPERINTENDENT
OF RECREATION AND PARKS TO
EXECUTE NECESSARY CHANGE
ORDERS REGARDING GERMONDS
PARK - CHARGE TO CAPITAL
FUND ACCOUNT H 7140-03-409

Co. Smith offered the following resolution:

WHEREAS, Town Board Resolution No. 484 dated April 28,
1987 in the amount of \$1,548,871.00, and

WHEREAS, Town Board Resolution No. 523 dated May 5,
1987 in the amount of \$542,975.00, and

WHEREAS, it would be in the best interests of the Town
of Clarkstown to sod the playing areas at Germonds Park, at a cost
not to exceed \$120,000.00,

NOW, THEREFORE, be it

RESOLVED, that Edward J. Ghiazza, Supt. of Recreation
and Parks is hereby authorized to execute any necessary change
orders regarding the General Construction, Plumbing and Electrical
Contracts on behalf of the Town of Clarkstown, based upon the
recommendation of Henry Horowitz, P.E., not to exceed \$2,211,846.00,
to be allocated against Capital Fund Account H 7140-03-409.

Continued on Next Page

RESOLUTION NO. (874-1987) Continued

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (875-1987)

AUTHORIZING ATTENDANCE AT
NATIONAL RECREATION AND
PARKS ASSOCIATION
MID-ATLANTIC REGIONAL
COUNCIL MEETING - CHARGE TO
APPROPRIATION ACCOUNT NO. A
7141-414

Co. Maloney offered the following resolution:

RESOLVED, that Charles F. Connington, Asst. Supt. of Recreation and Parks, is hereby authorized to attend the National Recreation and Parks Association Mid-Atlantic Regional Council meeting, September 9 and 10, 1987 in Ocean City, Maryland, and

FURTHER RESOLVED, that expenses not to exceed \$150.00 be charged against Appropriation Account A 7141-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (876-1987)

ACCEPTING DEED RE: ROAD
WIDENING ALONG SOUTH
MOUNTAIN ROAD, NEW CITY
(ESTATE OF KATHERINE B.
DEMING)

Co. Carey offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Town Attorney, deed dated July 27, 1987, from MacDonalld Deming, United Trust Company of New York, as executors of Estate of Katherine B. Deming, to the Town of Clarkstown, for road widening purposes along South Mountain Road, together with a sewer easement, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

ABE667

RESOLUTION NO. (877-1987)

RESCHEDULING PUBLIC HEARING
RE: CHAPTER 79 PROCEEDING -
MAP 98, BLOCK A, LOT 9.68
(BERNASCHINA)

Co. Maloney offered the following:

RESOLVED, that the public hearing scheduled for September 8,, 1987, in connection with a Chapter 79 proceeding (Property Maintenance) for premises known as Map 98, Block A, Lot 9.68, owned by Margaret Bernaschina is hereby rescheduled to September 22, 1987, at 8:30 P.M., and be it

FURTHER RESOLVED, that the Order and Notice pursuant to Chapter 79 shall be served upon the record owner by certified mail, return receipt, on or before September 9, 1987.

Seconded by Co. Smith

In response to a question from Supervisor Holbrook, Town Attorney stated that there was little bit of delay in getting the title information back so that the papers could not be served in time for tonight's public hearing.

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. (878-1987)

CANCELLING LIS PENDENS -
MAP 88, BLOCK A, LOT 31
(THOMPSON)

Co. Maloney offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice pursuant to Town Code, Chapter 79, dated October 28, 1986, for premises designated on the Clarkstown Tax Map as Map 88, Block A, Lot 31 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 filed February 2, 1987, provided that 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. 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. (879-1987)

AUTHORIZING ATTENDANCE AT
1987 ANNUAL NEW YORK STATE
ASSOCIATION OF TOWN
SUPERINTENDENTS OF HIGHWAYS
- CHARGE TO ACCOUNT A
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that John O'Sullivan, Superintendent of Highways, Charles T. Burgio, deputy Superintendent of Highways, and Harriet Rothermel, Service Dispatcher, are hereby authorized to attend the 1987 Annual New York State Association of Town Superintendents of Highways, to be held September 15 through September 18, 1987 at Kerhonkson, New York, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (880-1987)

AUTHORIZING ATTENDANCE AT
GOVERNMENT FINANCE
OFFICERS' CONFERENCE
(PROFENNA, LODICO AND FOGEL)

Co. Maloney offered the following resolution:

RESOLVED, that Louis J. Profenna, Dolores Lodico and Doris Fogel are hereby authorized to attend the Government Finance Officers' Conference on October 9, 1987, at the Hotel Thayer, and be it

FURTHER RESOLVED, that the conference fee of \$35 per person 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

RESOLUTION NO. (881-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING RE
ARTICLE 78 (RONALD COOK)

Co. Carey offered the following resolution:

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

Continued on Next Page

ABE667

RESOLUTION NO. (881-1987) Continued

Application of RONALD COOK for a Judgment
pursuant to Article 78 of the CPLR,

Petitioner,

against

TOWN OF CLARKSTOWN ZONING BOARD OF APPEALS,

Respondent.

NOW, THEREFORE, be it

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

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. (882-1987)

AUTHORIZING REDUCTION IN
PERFORMANCE GUARANTY
(SUBDIVISION OF PROPERTY
FOR JOSEPH BOCCA)

Co. Carey offered the following resolution:

WHEREAS, Joseph Bocca assigned to the Town of
Clarkstown a passbook containing the sum of \$43,200.00 in lieu of a
performance bond to secure the public improvements as shown on the
final plat of "SUBDIVISION FOR PROPERTY OF JOSEPH BOCCA", and

WHEREAS, the Department of Environmental Control of the
Town of Clarkstown has recommended that the said performance
guaranty be reduced to \$19,000.00 as much of the work has been
completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the security referred to herein may be
reduced to the sum of \$19,000.00 providing the property
owner/developer shall enter into a performance agreement in a form
satisfactory to the Town Attorney to secure completion of all items
remaining.

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. (883-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
CLARKSTOWN CENTRAL SCHOOL
DISTRICT FOR RENOVATION OF
TENNIS COURT FACILITIES -
CHARGE TO ACCOUNT NO. A
7310-424

Co. Maloney offered the following resolution:

WHEREAS, the Department of Parks and Recreation has entered into discussions with the Clarkstown Central School District whereby certain school facilities consisting of tennis courts available for use by residents of the Town of Clarkstown through programs offered by the Department of Parks and Recreation, and

WHEREAS, the Superintendent of Parks and Recreation has recommended to the Town Board that the sum of \$30,000.00 be allocated to the Clarkstown Central School District for the calendar year 1987, and the sum of \$60,000.00 be allocated to said school district for the calendar year 1988 for the purpose of furthering renovations to tennis court facilities belonging to the school district and in exchange therefor the Town of Clarkstown shall obtain permission to use such facilities for recreational purposes for residents of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney with the Clarkstown Central School District which shall provide for the payments referred to above and which shall further provide for use by the Town residents of school district facilities for a period not less than a term sufficient to provide fair compensation to the Town of Clarkstown for the funds provided toward the cost of renovations, and be it

FURTHER RESOLVED, that the sums to be allocated pursuant to said agreement shall be charged to Account No. A 7310-424.

Seconded by Co. Smith

Councilman Lettre said it seemed to him that with the high school taxes we pay in this town we should not have to dip into the pockets of the town here who tries to run a reasonably conservative business and be able to pay this without having to hit the people twice.

On roll call the vote was as follows:

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

RESOLUTION NO. (884-1987)

DIRECTING SUPT. OF HIGHWAYS
TO INSTALL TRAFFIC SAFETY
IMPROVEMENTS (ENDICOTT AND
HOWARD STREETS)

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated August 27, 1987 has concurred with Nils Eckhart, Town Safety Coordinator and recommended traffic safety improvements for several intersections on both Howard Street and Endicott Street, Congers,

Continued on Next Page

ABE667

RESOLUTION NO. (884-1987) Continued

NOW, THEREFORE, be it

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

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS SIGN #</u>
S/S Endicott Street at No. Grant Ave.	STOP	R1-1
S/S Endicott Street at No. Conger Ave.	STOP	R1-1
S/S Endicott Street at No. Harrison Ave.	STOP	R1-1
N/S Endicott Street at No. Conger Ave.	STOP	R1-1
N/S Endicott Street at No. Harrison Ave.	STOP	R1-1
S/S Howard Street at No. Grant Ave.	STOP	R1-1
S/S Howard Street at No. Conger Ave.	STOP	R1-1
S/S Howard Street at No. Harrison Ave.	STOP	R1-1
N/S Howard Street at No. Grant Ave.	STOP	R1-1
N/S Howard Street at No. Conger Ave.	STOP	R1-1
N/S Howard Street at No. Harrison Ave.	STOP	R1-1

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. (885-1987)

DIRECTING SUPT. OF HIGHWAYS
TO INSTALL "DEAF CHILD
AREA" SIGNS - WHITEWOOD
DRIVE AREA OF HOUSE #8

Co. Maloney offered the following resolution:

WHEREAS, Charles E. Holbrook, Supervisor, has received a request for the installation of DEAF CHILD AREA signs in the area of 8 Whitewood Drive, New City, and

WHEREAS, the parents have submitted this request on behalf of their child for this sign installation in accordance with Section 237.5 of the NYS Manual of Uniform Traffic Control Devices,

Continued on Next Page

RESOLUTION NO. (885-1987) Continued

NOW, THEREFORE, be it

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

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
E/S Whitewood Dr., area of house #8	DEAF CHILD AREA	W7-6
W/S Whitewood Dr., area of house #8 Seconded by Co. Smith	DEAF CHILD AREA	W7-6

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. (886-1987)

REQUESTING ROCKLAND COUNTY
 SUPERINTENDENT OF HIGHWAYS
 TO INSTALL YIELD SIGNS AT
 NORTH HARRISON AVENUE AT
 LAKE ROAD, STOP SIGNS AT
 NORTH HARRISON AVENUE AT
 LAKE ROAD AND NORTH GRANT
 AVENUE INTERSECTION WITH
 LAKE ROAD

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated August 27, 1987, had concurred with Nils Eckhart, Town Safety Coordinator and recommended traffic safety improvements for intersection side streets off of Lake Road, Congers, and

WHEREAS, Lake Road, Congers is a County road within the jurisdiction of the Rockland County Highway Department,

NOW, THEREFORE, be it

RESOLVED, that Joseph Hornik, Superintendent of Highways, County of Rockland is hereby requested to install the following:

Remove existing YIELD sign - North Harrison Avenue at Lake Road
 Install STOP sign - North Harrison Avenue at Lake Road.

Install Stop Signs as follows:
North Grant Avenue intersection with Lake Road

and, be it

FURTHER RESOLVED, that Patricia Sheridan, Town Clerk, forward a certified copy of this resolution to the office of the County of Rockland Superintendent of Highways for implementation.

Continued on Next Page

ABE667

RESOLUTION NO. (886-1987) Continued

Seconded by Co. Smith

(Supervisor Holbrook said he was voting for this resolution but he would be checking it out and it was subject to his approval.)

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. (887-1987)

REFERRING PETITION FOR
MODIFICATION OF RESTRICTIVE
COVENANT TO CLARKSTOWN
PLANNING BOARD (OMNI COURT
CONDOMINIUMS)

Co. Carey offered the following resolution:

WHEREAS, by resolution dated October 13, 1987, the Town Board of the Town of Clarkstown amended property then zoned from PO to RG-1 for property designated on the Clarkstown Tax Map as Map 59, Block A, Lots 7.01 and 7.02 subject, however, to the filing of a Declaration of Restrictive Covenants in a form approved by the Town Attorney which was subsequently filed on or about May 6, 1982, in Liber 1065 at Page 411, and

WHEREAS, subsequent to said zone change and filing of a Restrictive Covenant, the project known as Omni Court Condominiums was built, and

WHEREAS, the developer has requested modification of said Restrictive Covenant insofar as to permit the elimination of earthen berm installed to screen the project for adjacent dwellings, and

WHEREAS, the Town Board wishes to consider an amendment of the proposal to amend said Restrictive Covenants;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report, and be it

FURTHER RESOLVED, that 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 recommendation from the Town of Clarkstown Planning Board, pursuant to this resolution, is hereby requested to be made on or before October 28, 1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (888-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO CONSENT
DETERMINATION WITH RESPECT
TO LANDFILL VIOLATION (C &
A CARBONE, INC.)

Co. Maloney offered the following resolution:

WHEREAS, by Statement of Allegations served on or about July 6, 1987, C & A Carbone, Inc., located at 183 Western Highway, West Nyack, New York, a corporation authorized to sue the Clarkstown Sanitary Landfill and engaged and licensed in business of garbage removal in the Town of Clarkstown, was charged with violation of Paragraph "8" of a prior Consent Order dated February 27, 1987, freely entered into with the Town Board of the Town of Clarkstown as a result of a previous violation of Section 63.10(C) of the Town Code of the Town of Clarkstown, for disposing of garbage/refuse or debris in the Clarkstown Sanitary Landfill which originated outside the Town of Clarkstown and which Consent Order provided that during the pendency of a period of suspension, the Respondent, C & A Carbone, Inc., and any company relating in ownership to it, to wit, Clarkstown Carting Company, was barred from disposing of refuse collected from customers of the Respondent existing at the time of the initial violation (August 8, 1986) in the Clarkstown Sanitary Landfill, and

WHEREAS, a public hearing was duly scheduled to be held on September 2, 1987 pursuant to law and the Town Code of the Town of Clarkstown to inquire into said allegations which consisted of three separate violations of the Respondent's Consent Order committed on or about June 4, 1987, June 10, 1987, June 11, 1987, and

WHEREAS, prior to commencement of said hearing, the Respondent through its attorney offered to enter into a Consent Determination in lieu of such fact finding hearing whereby the Respondent would:

1. Admit allegations contained in the Statement of Allegations of July 6, 1987;
2. Consent to imposition of a civil penalty of \$13,000.00.
3. Consent to the imposition of a further three month suspension of the Respondent's privilege to enter the Clarktown Landfill to dispose of garbage/refuse or debris therein;
4. Further consent to the extension of its probationary period thereafter for an additional nine months from the conclusion of period of suspension referred to above. In addition, if Respondent commits any further violation of Chapter 63 or violation of law in relation to the use of the Clarkstown Sanitary Landfill, or breach of the terms of the Consent Order, the Respondent's right to use the Clarkstown Sanitary Landfill shall be revoked for a period not to exceed the three years previously provided for in the Consent Order dated February 27, 1987, which revocation shall run from the date of conviction, adjudication or violation of such breach;
5. Simultaneous with the signing of the Consent Order, the Respondent shall provide an updated verified list of all of its customers existing as of August 8, 1986, the date of the initial violation, and further provide to the Town of Clarkstown affidavits of all of the officers, stockholders and directors of the Respondent which affidavit shall disclose the interest, if any, of such officers, stockholders and directors in any other carting company existing as of the date of the initial violation of the Consent Order (June 4, 1987), and as of the date of the further Consent Order provided for herein;

Continued on Next Page

ABE667

RESOLUTION NO. (888-1987) Continued

6. The Consent Order shall further provide that within thirty days from the date of its execution, the Respondent shall provide the Town Board for its approval a plan or proposal for independent auditing and record keeping of its operation within Rockland County to establish that all employees of the Respondent have been informed of the company's obligations with respect to the Consent Orders referred to herein and to further provide a method whereby appropriate spot checks by independent persons are performed on a regular basis and for the disciplining of employees found violating the procedures to be established. In the event the Respondent fails to submit the report as required herein, the period of suspension shall be extended on a day to day basis until the report or proposal has been submitted and accepted by the Town Board;

7. That the prior Consent Order, together with the Consent Order to be entered into shall together establish the obligations of the Respondent arising out of its violation of Chapter 63 and the initial Consent Determination, and

WHEREAS, the Town Attorney recommends acceptance of the offer to enter into a Consent Determination as described above;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a Consent Determination pursuant to the terms and conditions set forth above, or in lieu thereof, the public hearing which commenced on September 2, 1987 shall be reconvened on October 13, 1987 at 9:00 P.M., and be it

FURTHER RESOLVED, that the civil penalty to be imposed by the Consent Determination shall be payable by cash or certified check in installments of \$4,500.00 upon signing of the Consent Order thirty days from the date thereof, \$4,500.00 thirty days from the date thereof, and the balance of \$4,000.00 sixty days from the signing of said Consent Order, and be it

FURTHER RESOLVED, that copies of this resolution shall be forwarded with any proposed Consent Determination to the Respondent's attorney.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (889-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO TAKE
NECESSARY STEPS TO PROVIDE
TWENTY-FOUR HOUR HOTLINE
TELEPHONE NUMBER ON ALL
CORRESPONDENCE EMANATING
FROM THE TOWN OF CLARKSTOWN
TO THE GENERAL PUBLIC -
CHARGE TO ACCOUNT NO. A
4210-313

Co. Lettre offered the following resolution:

Continued on Next Page

RESOLUTION NO. (889-1987) Continued

WHEREAS, Councilman Edward Lettre, has proposed that certain measures be taken by the Town Board of the Town of Clarkstown to increase the awareness of the general public to the dangers of alcohol and other substance abuse, and

WHEREAS, the Town Board wishes to support such efforts by publicizing the twenty-four hour telephone number for persons to call seeking assistance with respect to substance abuse;

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized and directed to take such steps as necessary to provide that the twenty-four hour hotline telephone number for calls for assistance with substance abuse problems be included on all correspondence, notices and other materials emanating from the Town of Clarkstown to the general public; and be it

FURTHER RESOLVED, that any expenditures pursuant to this resolution shall be charged to Account No. A 4210-313.

(Supervisor Holbrook explained that this would not be on every piece of correspondence but on appropriate mailings.)

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. (890-1987)

AUTHORIZING SUPERVISOR TO ENTER INTO A RENEWAL AGREEMENT WITH NYACK HOSPITAL FOR AN EMPLOYEE ASSISTANCE PROGRAM - CHARGE TO ACCOUNT NO. A 8840-424

Co. Maloney offered the following resolution:

WHEREAS, by resolution dated September 31, 1986, the Town of Clarkstown provided for an Employee Assistance Program for the employees of the Town of Clarkstown for the period October 1, 1986 through December 31, 1986, and

WHEREAS, this program has proven to be a worthwhile benefit for employees of the Town of Clarkstown;

NOW, THEREORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a renewal agreement with Nyack Hospital for the Employee Assistance Program for a twelve (12) month period commencing October 1, 1987 and terminating on December 31, 1988, and be it

FURTHER RESOLVED, that the appropriation of \$6,300.00 to pay for the services to be provided shall be charged to Account No. A 8840-424.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

ABE667

RESOLUTION NO. (890-1987) Continued

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

RESOLUTION NO. (891-1987)

AUTHORIZING ATTENDANCE
AT VARIOUS CONFERENCES
ASSESSORS AND APPRAISERS
(LONGO AND HEINISCH)

Co. Maloney offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown is hereby authorized to attend the New York State Assessor's Association Conference on Assessment Administration from September 20 to September 23, 1987 in Ellenville, New York, and be it

FURTHER RESOLVED, that Nicholas A. Longo is hereby authorized to attend a course "Introduction to Farm Appraisal" in Saratoga County from February 29, 1988 to March 4, 1988, and be it

FURTHER RESOLVED, that Frances M. Heinisch, Real Property Appraiser is hereby authorized to attend the New York State Assessor's Association Conference on Assessment Administration from September 20 to September 23, 1987 in Ellenville, New York, and be it

FURTHER RESOLVED, that Frances M. Heinisch is hereby authorized to attend a conference on Assessment Administration and Introduction to Appraisal Approaches Tests, Albany, New York on October 14, 1987, and be it

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

Seconded by Co. Lettre

On roll call the vote was as follows:

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

RESOLUTION NO. (892-1987)

AUTHORIZING PAYMENT TO
SECRETARY TO THE BOARD OF
APPEALS (MARGARETANN RIES)
FOR PREPARATION OF
TRANSCRIPTS (RONALD COOK V.
ZBA)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$547.25 be paid to Margaretann Ries, Secretary to the Board of Appeals, for the preparation of the transcript required in the following proceeding:

RONALD COOK V. TOWN OF CLARKSTOWN ZONING BOARD OF APPEALS

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (892-1987) 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. (893-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO AMENDMENT TO
EXISTING AGREEMENT WITH
SCHOFIELD COLGAN,
ARCHITECTS RE CONGERS LAKE
RECREATION FACILITY AND
CENTRAL NYACK COMMUNITY
CENTER - CHARGE TO
MONEY-IN-LIEU-OF-LAND
ACCOUNT

ABE667

Co. Maloney offered the following resolution:

WHEREAS, Schofield Colgan, Architects, have been previously retained by the Town Board upon the recommendation of the Parks Board and Recreation Commission for a project known as "the addition to the Congers Lake Recreation Facility and the Central Nyack Community Center," and

WHEREAS, the Superintendent of Recreation and Parks Department has recommended that the scope of services requested of Schofield Colgan be extended to include the design and other necessary services for the addition of air-conditioning to an existing meeting room and the installation of handicapped toilets at the Congers Lake Community Center, and

WHEREAS, by letter dated August 12, 1987, Schofield Colgan, Architects, estimated that the additional services necessary to accomplish the design work set forth above will be the sum of \$15,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amendment to the existing agreement with Schofield Colgan, Architects, in accordance with the recommendation of the Superintendent of Recreation and Parks to provide for additional compensation in the amount of \$15,000.00, pursuant to the proposal referred to above, and be it

FURTHER RESOLVED, that the total expenditure for architectural fees for the community center projects referred to herein shall not exceed \$37,000.00, and be it

FURTHER RESOLVED, that the additional appropriation shall be charged to the money-in-lieu-of-land account.

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. (894-1987)

AUTHORIZING ATTENDANCE AT
COURSE ON SETTING UP AND
OPERATING A RESIDENTIAL
RECYCLING PROGRAM LESLIE
BOLLMAN, DIRECTOR OF
ENVIRONMENTAL CONTROL AND
ANY TOWN BOARD MEMBER WHO
WISHES TO ATTEND - CHARGE
TO APPROPRIATION ACCOUNT
NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, Department
opf Environmental Control, Town of Clarkstown and any member of the
Town Board who so desires, is hereby authorized to attend a two day
course on Setting Up and Operating a Residential Recycling Program
to be held on October 28 and 29, 1987, a The Institute for
Professional Development, Widener University, Wilmington, Delaware,
and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (895-1987)

AUTHORIZING ATTENDANCE AT
SEMINAR ON CONTROLLING
STORMWATER RUNOFF (RALPH
LAURIA) - CHARGE TO
APPROPRIATION ACCOUNT NO. A
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Ralph Lauria, Engineer II, Department of
Environmental Control, Town of Clarkstown, is hereby authorized to
attend a seminar on Controlling Stormwater Runoff to be held on
Friday, October 30, 1987, at the Ramada Inn, Poughkeepsie, New York,
and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (896-1987)

AUTHORIZING ATTENDANCE AT
THIRD ANNUAL SYMPOSIUM ON
MATERIAL AND ENERGY

RESOLUTION NO. (896-1987) Continued

RECOVERY FROM MUNICIPAL
SOLID WASTE (BRICKWOOD) -
CHARGE TO APPROPRIATION
ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Brickwood, Deputy Director,
Department of Environmental Control, Town of Clarkstown, is hereby
authorized to attend the Third Annual Symposium on Materials and
Energy Recovery from Municipal Solid Waste to be held on October 20
through October 22, 1987, at the Turf Inn, Albany, New York, and be
it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (897-1987)

AUTHORIZING ATTENDANCE AT
ANNUAL CONFERENCE OF NEW
YORK STATE ASSOCIATION OF
MAGISTRATES COURT CLERKS
(JOANN GEARY) - CHARGE TO
APPROPRIATION ACCOUNT NO. A
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Joann Geary, Justice Court Clerk, is
hereby authorized to attend the Annual Conference of the New York
State Association of Magistrates Court Clerks in Fallsview, New York
from October 4th to 7th, 1987, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (898-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT FOR
APPRAISAL SERVICES (ROLAND
R. GRECO ASSOCIATES) - MAP
105, BLOCK A, LOTS 2.01 AND
26.02 - CHARGE TO MBSIA
NO. 2 ACCOUNT H-8150-07-409

Co. Smith offered the following resolution:

Continued on Next Page

ABE667

RESOLUTION NO. (898-1987) Continued

RESOLVED, that the Town Attorney is hereby authorized to enter into an agreement with Roland R. Greco Associates, 14 Mamoraneck Avenue, White Plains, New York, to prepare appraisal reports for a portion of parcels designated on the Clarkstown Tax Map as Map 105, Block A, Lots 2.01 and 26.02, in connection with contemplated proceedings pursuant to the Eminent Domain Procedure Law for the installation of sewer improvements, for a sum not to exceed \$2,500.00, which agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the sum of \$2,500.00 shall be charged to MBSIA No. 2 Account H-8150-07-409.

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. (899-1987)

AUTHORIZING TOWN
COMPTROLLER TO AUTHORIZE
PAYMENT OF LOST COUPON RE
BOND NO. 1516

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has been advised by Prudential-Bache Securities, Inc. as agent for Bond No. 1516 dated August 15, 1977, due March 15, 2003, that a Coupon due September 15, 1987, with a value of \$143.75 has been lost in bearer form, and

WHEREAS, an Affidavit of Loss, Theft or Destruction and Bond of Indemnity have been tendered by the paying agent and the Seaboard Surety Company;

NOW, THEREFORE, be it

RESOLVED, that the Affidavit and Bond referred to above are hereby accepted and the Town Comptroller is hereby authorized and directed to authorize payment of a Coupon due September 15, 1987, with a value of \$143.75 to be paid when due without physical presentation of said coupon.

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. (900-1987)

ASSESSING COST FOR CHAPTER
79 PROCEEDING - MAP 40,
BLOCK A, LOT 7.1 (GARDEN
HILL)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (900-1987) Continued

WHEREAS, the condition complained of in the Order and Notice dated June 23, 1987, regarding premises designated on the Tax Map of the Town of Clarkstown as Map 40, Block A, Lot 7.1 which was the subject of a Chapter 79 (Property Maintenance) proceeding has been corrected, and

WHEREAS, by resolution of the Town Board adopted August 11, 1987, the record property owners were required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

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

NOW, THEREFORE, be it

RESOLVED, that the Assessor and the Receiver of Taxes are hereby authorized and directed to levy the sum of \$210.00 against Map 40, Block A, Lot 7.1.

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. (901-1987)

CREATING POSITION OF
PART-TIME CLERK -
ASSESSOR'S OFFICE

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 19, 1987 that the part-time position of Clerk - Assessor's Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of part-time Clerk - Assessor's Office - is hereby created effective and retroactive to September 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. (902-1987)

APPOINTING TO POSITION OF
PART-TIME CLERK -
ASSESSOR'S OFFICE (PATRICIA
MALONEY)

Co. Lettre offered the following resolution:

Continued on Next Page

ABE667

RESOLUTION NO. (902-1987) Continued

RESOLVED, that Patricia Maloney, 1 Victoria Drive, Nanuet, New York, is hereby appointed to the position of part-time Clerk - Assessor's Office - at the current 1987 hourly rate of \$6.00, effective and retroactive to September 2, 1987.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (903-1987)

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

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Real Property Appraiser #87074B which contains the name of Frances Heinisch,

NOW, THEREFORE. be it

RESOLVED, that Francis Heinisch, 120 South Main Street, Pearl River, New York, is hereby appointed to the position of Real Property Appraiser - Assessor's Office - at the current 1987 annual salary of \$27,577.00, effective September 9, 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. (904-1987)

RECOGNIZING APPOINTMENT BY
THE POLICE COMMISSION OF
POLICE OFFICER (ALAN R.
ARMSTRONG)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Alan R. Armstrong, 119 Deltic Road, Spring Valley, New York, as Police Officer - Police Department - from Certification of Eligibles, Police Officer #84200 - at the current 1987 annual salary of \$29,.287.00, effective and retroactive to August 17, 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. (905-1987)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
OFFICER (JOHN P. CALLANAN)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of John P. Callanan, 11 Crestwood Drive, New City, New York, as Police Officer - Police Department - from Certification of Eligibles, Police Officer #84200 - at the current 1987 annual salary of \$29,287.00, effective and retroactive to August 17, 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. (906-1987)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
OFFICER (WILLIAM B. MAHONEY)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of William B. Mahoney, 155 New York Avenue, Congers, New York, as Police Officer - Police Department - from Certification of Eligibles, Police Officer #84200 - at the current 1987 annual salary of \$29,287.00, effective and retroactive to August 17, 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. (907-1987)

ACCEPTING TRANSFER OF
TYPIST FROM TOWN JUSTICE
OFFICE TO POLICE DEPARTMENT
(JOAN MURPHY)

Co. Lettre offered the following resolution:

RESOLVED, that the Town Board accept the transfer of Joan Murphy, 3-7 Germonds Village, Bardonia, New York - Typist - from Town Justice Office to Police Department - effective August 31, 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

ABE667

RESOLUTION NO. (908-1987)

ACCEPTING RESIGNATION OF
PART-TIME TYPIST - HIGHWAY
DEPARTMENT (EILEEN SHINE)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Eileen Shine, 9 Cider Mill Court, New City, New York - part-time Typist - Highway Department - is hereby accepted effective and retroactive to August 27, 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. (909-1987)

ACCEPTING RESIGNATION OF
ASSISTANT AUTOMOTIVE
MECHANIC - HIGHWAY
DEPARTMENT (MARCO FELDI)

Co. Lettre offered the following resolution:

RESOLVED, that the resignation of Marco Feldi, 222 North Little Tor Road, New City, New York - Assistant Automotive Mechanic - Highway Department - is hereby accepted effective and retroactive to August 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. (910-1987)

REAPPOINTING TO POSITION OF
MEMBER - PARKS BOARD AND
RECREATION COMMISSION
(RICHARD MATHIAS)

Co. Lettre offered the following resolution:

RESOLVED, that Richard Mathias, 32 Longmeadow Road, New City, New York, is hereby reappointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term effective and retroactive to August 16, 1987 and to expire on August 15, 1992.

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. (911-1987)

AWARDING BID FOR BID
#15-1987 - SIDEWALKS -
COLLYER AVENUE, NEW CITY
(PINEBROOK LANDSCAPING CO.,
INC.)

Co. Maloney offered the following resolution:

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

BID #15-1987
SIDEWALKS - COLLYER AVENUE, NEW CITY

is hereby awarded to:

Pinebrook landscaping Co., Inc.
49 Rolling Ridge Road
New City, New York 10956

as per their low bid proposal of \$159,729.50, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (912-1987)

AUTHORIZING ATTENDANCE AT
ZONING CONFERENCE (IRENE
SACCENDE) - CHARGE TO
ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Irene Saccende, Code Inspector is
authorized to attend a Zoning Conference for workshop on September
20, 1987 at the Cornell Cooperative Extension, New City, New York,
and be it

FURTHER RESOLVED, that the Conference fee of \$10.00 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

RESOLUTION NO. (913-1987)

AUTHORIZING PAYMENT OF
SUPPLEMENTAL ARBITRATION
AWARD (JOHN F. HEARNE)

Continued on Next Page

ABE667

RESOLUTION NO. (913-1987) Continued

Co. Carey offered the following resolution:

RESOLVED, that supplemental arbitration award CL4693 is hereby acknowledged, and the Comptroller is hereby authorized and directed to issue a check in the amount of \$16,350.79 from the general fund to John F. Hearne upon receipt of and in exchange for check numbers 40578, 40579, 40580, 40581 and 40582, and be it

FURTHER RESOLVED, that this arbitration settlement is accepted upon the recommendation of the Deputy Town Attorney for labor matters.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Chapter 31 Proceeding (Riverso) was declared open, time: 10:15 P.M.

The Public Hearing was adjourned at 10:17 until September 22, 1987.

RESOLUTION NO. (914-1987)

RESCHEDULING PUBLIC HEARING
ON CHAPTER 31 PROCEEDING
(RIVERSO)

Co. Maloney offered the following resolution:

RESOLVED, that the public hearing scheduled for September 8, 1987, in connection with premises owned by Riverso (Map 106, Block A, Lot 17) is hereby rescheduled for September 22, 1987 at 8:25 P.M.

Seconded by Co. Smith

On roll call the vote was as follows:

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

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Amendment to Town Code re: MF Regulations, was opened, time: 10:17 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing re: Amendment to Town Code re: MF Regulations, was closed, RESOLUTION ADOPTED, time: 10:20 P.M.

Continued on Next Page

RESOLUTION NO. (915-1987)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN RE:
MF REGULATIONS (DWELLING
UNIT PARKING)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 23rd day of June, 1987, provided for a public hearing on the 8th day of September, 1987, at 8:10 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106-10A, Table 19, Column 6 of the General Use Regulations, MF-1, MF-2 and MF-3 Districts from:

"1. Dwelling unit - 1/2 unit. At least 1/4 of all required parking shall be enclosed. At least 20% of required parking shall be available for guests. Guest parking shall be in groups of 5 or more spaces. Driveways shall not be considered as parking spaces for purposes of meeting these requirements."

to read as follow:

"1. Dwelling unit - 1/2 unit. At least 1/4 of all required parking shall be enclosed. Additional guest parking shall be provided and shall be no less than 20% of the required parking. Guest parking shall be in groups of five (5) or more spaces and shall be to allow convenient use by guests, as determined by the Planning Board. Driveways shall not be considered as parking spaces for purposes of meeting these requirements."

Seconded by Co. Carey

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Local Law to Amend Subdivision Regulations was opened, time: 10:21 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the Public Hearing re: Local Law to Amend Subdivision Regulations was closed, RESOLUTION ADOPTED, time: 10:29 P.M.

RESOLUTION NO. (916-1987)

ADOPTING LOCAL LAW NO.
9-1987 RE: LOCAL LAW FOR
LAND SUBDIVISION REGULATIONS

Co. Smith offered the following resolution:

Continued on Next Page

ABE667

RESOLUTION NO. (916-1987) Continued

WHEREAS, a proposed local law entitled:

"A LOCAL LAW TO AMEND LOCAL LAW NO. 2-1987 ENTITLED,
'LOCAL LAW FOR LAND SUBDIVISION REGULATIONS' "

was introduced by Councilwoman Smith at a Town Board meeting held on the 23rd day of June, 1987, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 23rd day of June, 1987, directed that a public hearing be held on the 8th day of September, 1987, at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on August 24, 1987, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on August 3, 1987,

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 8, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 9-1987, entitled:

"A LOCAL LAW TO AMEND LOCAL LAW NO. 2-1987 ENTITLED,
'LOCAL LAW FOR LAND SUBDIVISION REGULATIONS' "

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

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

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

Seconded by Co. Maloney

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Zone Change from LS District to R-80 District - Map 138, Block H, Lots 35, 37 and 38 (Rockland Lake Area), was opened, time: 10:30 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change from LS District to R-80 District - Map 138, Block H, Lots 35, 37 and 38 (Rockland Lake Area), was closed, RESOLUTION ADOPTED, time: 10:40 P.M.

RESOLUTION NO. (917-1987)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN FROM
LS DISTRICT TO R-80
DISTRICT - MAP 138, BLOCK
H, LOTS 35, 37 AND 38
(ROCKLAND LAKE AREA)

Continued on Next Page

RESOLUTION NO. (917-1987) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 23rd day of June, 1987, on its own motion, provided for a public hearing on the 8th day of September, 1987 at 8:20 P.M., to consider amending the Zoning Ordinance of the Town of Clarkstown by redistricting the property designated on the Clarkstown Tax Map as Map 138, Block H, Lots 35, 37 and 38 from an LS District to an R-80 District, and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated July 6, 1987, acting as staff to the Town Board as lead agency, which report incorporates by reference the report of Kurian L. Kalarickal, dated January 19, 1982, with respect to the Master Plan Update, 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 LS District to an R-80 District, the property designated on the Clarkstown Tax Map as Map 138, Block H, Lots 35, 37 and 38, situated in the Hamlet of Congers, New York, in said Town, 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.

Seconded by Co. Carey

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Zone Change from RG-2 to R-15 District - Map 33-2, Block B, Lots 22.01, 22.02, 22.03 and part of 23.25 (Jean Marie Apts. area), was opened, time: 10:41 P.M.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Zone Change from RG-2 to R-15 District - Map 33-2, Block B, Lots 22.01, 22.02, 22.03 and part of 23.25 (Jean Marie Apts. area), was closed, RESOLUTION ADOPTED, time: 10:50 P.M.

RESOLUTION NO. (918-1987)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN FROM
RG-2 DISTRICT TO R-15
DISTRICT - MAP 33-2, BLOCK
B, LOTS 22.01, 22.02, 22.03

Continued on Next Page

ABE667

RESOLUTION NO. (918-1987) Continued

AND PART OF 23.25 (JEAN
MARIE APTS. AREA)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 23rd day of June, 1987, on its own motion, provided for a public hearing on the 8th day of September, 1987 at 8:25 P.M., to consider amending the Zoning Ordinance of the Town of Clarkstown by redistricting the property designated on the Clarkstown Tax Map as Map 33-2, Block B, Lots 22.01, 22.02, 22.03 and part of 23.25, from an RG-2 District to an R-15 District; and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw dated July 6, 1987, acting as staff to the Town Board as lead agency, which report incorporates by reference the report of Kurian L. Kalarickal, dated January 19, 1982, 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 RG-2 District to an R-15 District, the property designated on the Clarkstown Tax Map as Map 33-2, Block B, Lots 22.01, 22.02, 22.03 and part of 23.25, situated in the Hamlet of Nanuet, New York, in said Town, 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.

Seconded by Co. Lettre

On roll call the vote was as follows:

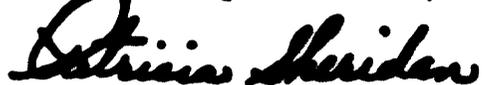
Councilman Carey.....Yes
Councilman Lettre.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

The Superintendent of Highways stated that people are not complying with the regulations concerning the bulk pick-up.. It is an ongoing problem, unfortunately, and until the Town Board steps in it will continue to be so.

Supervisor said this is the last year that will be a problem.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 10:51 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

47

Town Hall

9/8/87

10:15 P.M.

Present: Supervisor Holbrook
Councilmembers Carey, Lettre, Maloney, Smith
Joyn Costa, Town Attorney
Patricia Sheridan, Town Clerk

RE: CHAPTER 31 VIOLATION HEARING - RIVERSO

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

Town Attorney said this is a Chapter 31 proceeding involving property reputedly owned by Mr. Raphael Riverso. Supervisor asked where the property was located and the Town Attorney stated that it was on Route 59 in the vicinity of Route 303 Cloverleaf, West Nyack. He said he understood that late this afternoon Mr. Riverso and his attorney, Arnold Bernstein were in the Town Attorney's office as well as the Supervisor's office and requested an adjournment of this matter until September 22, 1987.

Supervisor asked what was the purpose of the adjournment? Town Attorney said that Mr. Riverso had indicated that he would secure the building within the period of the adjournment and will apply for a building permit to do so prior to the next Town Board Meeting. He also indicated that the Fire Inspector had no objection to the adjournment. He expected to correct the condition before the hearing is commenced.

Supervisor said what happens if the conditions are not corrected by that particular time? Town Attorney said then the hearing certainly should go forward at that time.

Supervisor asked if any Town Board member had a question.

Councilman Carey asked then should we recess this hearing? Town Attorney said we should adjourn it to September 22, 1987 at 8:35 P.M.

Supervisor said if we can get a report from the Fire Inspector regarding this we can see when and if he has obtained a building permit and if in fact all of the provisions as indicated by the Fire Inspector have been complied with. If they have not been then we will proceed forthwith.

Town Attorney stated that just for the record this Chapter 31 proceeding is against the property designated on the map as Map 106, Block A, Lot 17 and notice of the hearing was sent by certified mail, return receipt, to the property owner of record on July 1, 1987.

It was agreed that this would be adjourned to September 22, 1987.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

ABE667

TOWN OF CLARKSTOWN
PUBLIC HEARING

49

Town Hall

9/8/87

10:17 P.M.

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

RE: AMENDMENT OF TOWN CODE RE: MF REGULATIONS

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

Supervisor stated that this was being done on the Town's own motion. He asked if a representative of the the Town's Planning Consultants was available to make any comments.

Appearance: Mr. Wes Bruckno
Raymond, Parish, Pine & Weiner

Mr. Bruckno said this amendment was to clarify what had been confusing to some people regarding the calculation of the exact number of parking spaces. The Planning Board has always interpreted the regulations as it shows in the amendment. It has always been done this way but it had been worded a little bit differently.

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

Supervisor asked if there was any member of the public who would like to make a comment or ask a question? No one appeared.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 10:20 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (915-1987) ADOPTED

ABE667

TOWN OF CLARKSTOWN
PUBLIC HEARING

51

Town Hall

9/8/87

10:21 P.M.

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

RE: LOCAL LAW TO AMEND SUBDIVISION REGULATIONS

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 stated that he had correspondence from the Department of Environmental Control with respect to this proposed amendment and the original minutes of the Planning Board which referred this matter and recommended it to the Town Board.

Town Attorney read from a memo from Kurian L. Kalarickal, Deputy Director of Environmental Control:

"In accordance with your memo dated 8/14 we have reviewed the amendment and the following are our comments:

Model lots are normally requested when there is a time period between the final approval for the subdivision by the Planning Board and the time of the filing of the map. We feel it may be appropriate to allow model lots only after the granting of the final approval by the Planning Board. This will enable more flexibility for any change deemed necessary prior to final approval. This item could be discussed with the Planning Consultant and the Building Inspector for their concurrence."

Town Attorney noted that copies of the memo dated August 31st were sent to the Planning Consultant and the Building Inspector.

Supervisor asked if any Town Board Member had any comment or wished to ask a question regarding the proposal? No one appeared.

Supervisor asked if any member of the public had a comment or wished to ask a question?

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein asked if this meant that if the subdivision had three or four lots that they would allow two lots to be approved as models? Town Attorney said he would defer to the Planning Consultant as the Planning Subdivision Regulations do authorize the Planning Board, in its discretion, to allow waivers and to apply this. The practice of the Planning Board would appear to be more important than the ordinance. Mr. Bruckno said that the Town Attorney is correct. It is in the Board's discretion and has been in the past. There have been times when the Planning Board has granted less than two, sometimes one. Councilwoman Smith said the wording says up to two and does not say always two.

Mr. Bernstein said if you are going to put it in the regulations shouldn't you say that at least if there are ten or more lots you would allow two models. He said it was sort of a farce to say that if there is a subdivision of three lots that two of them will be approved as models. This is just a subterfuge in order to get around the final. Mr. Bruckno said it is not a mandatory provision. It allows the Planning Board flexibility to provide for two. Mr. Bernstein asked if it had that flexibility now? Mr. Bruckno said it has been their practice to grant that, yes.

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Mr. Bernstein said then there is really no need for it. Town Attorney said it has been the practice of the Planning Board to go on record as indicating that it has no objection to the issuance of building permits for model lots. However, it has also been the position of the Building Inspector that in the absence of a signed and filed map he had no authority to so issue such building permits and this amendment is addressed to that particular problem.

Mr. Bernstein said he could see the possibility of allowing one lot. Once you put it into the Subdivision Regulations it will be difficult to get around it. He said he could see the possibility if a person has ten or more lots to have two models but he said if you have three lots you can have two models before you get a filed map and he thought that opened up a possibility of something happening where the map is never filed and we have two models being built. He felt it was a mistake.

Councilwoman Smith said she believed that if the Planning Board had three lots they would never permit two models. Supervisor said it says up to and that is the point. Councilman Maloney said they may not approve any.

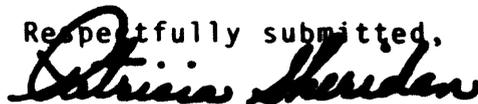
Appearance:

Mr. John Lodico
2 Birch Lane
West Nyack, New York 10994

Mr. Lodico said when you write a law it should be clear and specific. He said he agreed with Mr. Bernstein and he felt his presentation was reasonable indicating at least one and then if the Board should write in "ten or more", up to two. It is discretionary at this time - one or two - or none; but it is arbitrary. If there are three lots then it could be two depending on the complexion of the Board, complexion of the applicant, etc., and therefore it should state "one" specifically and "up to ten."

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 10:29 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (916-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

53

Town Hall

9/8/87

10:30 P.M.

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

RE: ZONE CHANGE - LS DISTRICT TO R-80 DISTRICT
MAP 138, BLOCK H, LOTS 35, 37 AND 38
ROCKLAND LAKE AREA

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 this was a recommendation for a follow up on the Town's Master Plan by the Planning Board for items that were originally proposed in 1982.

There was reference to tax maps which the Town Attorney presented in order to show the location of the property in question. This is three parcels on Rockland Lake Road which are owned by the Palisades Interstate Park Commission. Supervisor asked if Town Attorney had any correspondence from the PIP. Town Attorney said he did not.

Town Attorney said he had correspondence from the Rockland County Department of Planning. He did have an affidavit indicating that the PIP was notified.

Supervisor asked if there was anyone wishing to make a comment or ask a question?

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

Mr. Lodico said that due to the fact the PIP owns this property he would like to know if it incorporated the areas where previously the Blue Urn was as well as the location of the pumping station that was set aside back in the early '70's for the development of the lands to the south of that particular project? He said he could appreciate the PIP wanting to zone their land R-80 so long as it does not then destroy the potential of developing the land to the south of it which in the early '70's was most conducive to multiple housing in that the back of the properties buffered the PIP and the front of it was Route 9W.

Supervisor said this is not the parkway, this is Rockland Lake. Mr. Lodico said yes, but if it encompasses the pumping station area that could preclude any further development of the land to the south which is compatible with multi-family housing and if that is the property which was set aside and town funds were set aside for the pumping station it could preclude any future development to the south. Supervisor asked how it would do that? Mr. Lodico said supposing the land has the pumping station located on it, where would you put another one - further south? Mr. Lodico said the Board should research the location, and in relation to the pumping station that funds were set aside for, to develop the southern properties of that particular area. Otherwise the PIP would be blocking the natural flow of future construction in sewers which would pump westerly and/or northerly.

Town Attorney asked how is it proposed to get permission from the PIP to erect such a facility on parkland? Mr. Lodico said he was asking the Town Attorney that question. Supervisor said the proposal here is to change a zone. Whatever the zone may be it would still have to have the pumping station there.

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Mr. Lodico said he did not have any objection to their having R-80 on their particular property. Town Attorney said this is not on a motion of PIP. This is on the Planning Board's recommendation and the Town Board's own motion. Mr. Lodico said the Town Board is one thing and the Planning Board is another. He felt the area should be looked at to ensure that it doesn't prohibit the future flow of sewerage from south to north and then continue on in the MBSIA No. 1. Mr. Lodico said the Planning Board is not always right either.

Supervisor said right now the sewerage flows into a tributary of the Von Beaste Kill into Rockland Lake and is one of the contributing factors to the Lake having problems. Supervisor said just changing the zone does not preclude..

Councilwoman Smith asked what the County's recommendation was? Town Attorney said the County approved of this in a memo dated July 7, 1987.

Appearance: Mr. Rubin Sterngass
67 Ridge Road
Valley Cottage, New York

Mr. Sterngass asked to see a map which related to these three lots in question. He was shown the map. He said the map would clearly indicate to him that it would not be in the way of sewage development and a pumping station. The map indicates that the property does not go to Route 9W. The resolution read that it goes to 9W. Councilman Lettre said it is parallel to Route 9W. Town Attorney said the notice stated that it was on the east side of Route 9W but did not state that it was fronting on Route 9W. Mr. Sterngass said then he did not see any problem and he had no objections.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein asked if this was a piece of LS zoning only? Town Attorney said it is. Mr. Bernstein said he just looked at the zoning map. It just includes a triangular sliver on the zoning map which doesn't go anywhere near Route 9W. Supervisor said it is east of Route 9W. There was discussion about the location and reference was made to the map presented.

On Motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 10:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (917-1987) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

55

Town Hall

9/8/87

10:41 P.M.

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

RE: ZONE CHANGE - RG-2 TO R-15 - MAP 33-2, BLOCK B,
LOTS 22.01, 22.02, 22.03 AND PART OF 23.25 (JAMES
DRIVE, NANUET - JEAN MARIE GARDENS)

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 a memo from the Rockland County Department of Planning and a copy of a memorandum from the Building Inspector to the Supervisor and the Town Board. The memo dated July 6, 1987 from the Rockland County Planning Board indicates that they approve. The memo from the Building Inspector is dated today (September 8, 1987) and states that "in addition to the tax lots subject to this proposed change it should also include Tax Lot 33 B 22.04 which contains a one family dwelling and is presently zoned RG-2. This lot was part of the subdivision of Tor Acres which included Jean Marie Apartments."

Town Attorney said the Jean Marie Apartments are in the vicinity of the land proposed to be changed tonight. Supervisor said that particular lot was not published in the paper and if it were to be considered it would have to be published in the newspaper. Town Attorney said that was correct.

Supervisor asked Mr. Bruckno if he would explain the rationale behind this? Mr. Bruckno said when the Town Board was reviewing changing the RG zones to something else, he believed they just rezoned the RG's into MF's. Those which would become something different such as this one - an R-15 - were postponed or not reviewed. That is what he believed had to be done now. Supervisor said that is what is being proposed at this particular point - to zone it from RG-2 to what it is currently. Mr. Bruckno said the R-15 is the closest to what exists.

Supervisor asked if there was anyone who would like to make a comment or ask a question regarding this proposal?

Appearance: Mr. DiNapoli
15 James Drive
Nanuet, New York

Mr. DiNapoli said he, along with about twenty neighbors, is not clear as to the reason for the change. He asked if additional construction would be involved here? Supervisor said he did not believe so. Mr. Bruckno said all it does is to make the properties conform to the zoning. Right now they do not conform. Mr. DiNapoli said he is concerned that if there are any additional changes that might bring in additional construction at the end of their road. He was assured that no construction was involved.

Supervisor said the RG-2 zone, a number of years ago, was the highest density residential zone that the Town had and what is being proposed here is to return it to R-15 which coincides with one-third acre zoning, single family house and that is what is being proposed here. Mr. DiNapoli said then in a general sense we are dealing with semantics here rather than anything else. Supervisor said it is tidying the zoning map to conform to what is and is actually an upzoning.

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Supervisor said there is still one piece - 22.04 - which would not be part of this tonight because it was not published. It is on the other side of the street and is non-conforming right now. If this goes through we will have a public hearing to include that one in it too.

Appearance: Mr. Chris Kelly
James Drive
Nanuet, New York

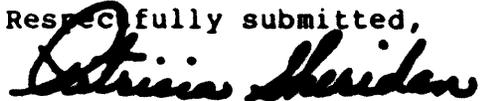
Mr. Kelly said he was concerned and asked if there was going to be a change on the other side? He said he was referring to the other side of Jean Marie Apartments. He asked if there was any construction that is going to make changes in that area by changing his area? Supervisor said no and these sites are specific to the map, block and lot numbers designated as being the subject of this public hearing. That is all we are changing.

Mr. Kelly said there was much concern among the residents as to exactly what was being done. He was shown the map and had the area and the proposal explained to him.

Supervisor wished it noted that if another public hearing is scheduled and a notice goes out it will be referring to that other parcel on James Drive (22.04) and it will be for the same thing.

On motion of Councilman Maloney, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 10:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk