

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/22/87

8:00 P.M.

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

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

Supervisor opened the Public Portion of the meeting.

Appearance: Mr. Orin Getz

Mr. Getz said every night when he drives home from work at about 9:00 P.M. on Little Tor Road traffic is stopped in all directions to let cars out of a bank. However, no one is coming out of a bank on Friday, Saturday or Sunday night at 9:00 P.M. and he did not understand why the traffic has to be held up in all directions then. Supervisor asked if he was talking about Union State Bank and Mr. Getz replied that he was. Supervisor said they are looking into having loop detectors resynchronized so that situation can be evaded.

Mr. Getz said at the corner of Lawrence Street and Pascack Road the green signal has been burned out for three weeks now. He said this seems to be a chronic problem with the Town that these things are not reported and repaired. He felt three weeks was excessive. Supervisor Holbrook said he would speak to the police about having these things reported more promptly. He said he would see to it that this particular light was attended to tomorrow.

Appearance: Mr. Vincent Reda, Chairman
Clarkstown Republican Committee

Mr. Reda made a presentation to outgoing Councilman Edward Lettre on behalf of the Republican Committee. He remarked on his numerous community endeavors and services in the highest tradition of community service. He said Ed Lettre exemplifies strength of character, devotion to family, faith and hard work. Mr. Reda said it was a privilege and an honor to make the presentation to Councilman Lettre.

Councilman Lettre thanked Mr. Reda for the presentation and joked that he thought the funeral was on the 31st at 12:00 noon. He thanked the Republican Committee stating that it was unexpected and surely appreciated. He said the eight years that he has had the privilege of serving the people of the Town of Clarkstown have been an honor and a privilege. He said he plans on being around and is not going anywhere. He is planning on living in the community and hopefully serving this community again. He thanked his family and friends for just being here.

Appearance: Mr. Roger Wheeler
South Greenbush Road
West Nyack, New York

Mr. Wheeler said that there was not a full quorum last time and he reiterated his comments made at the last Town Board meeting regarding the request by Cobco II to use their driveway from their lot to South Greenbush Road for entrance and exit. He said residents had signed a letter of protest which he read and presented to the Planning Board on September 30th. He said this was done on the basis that this is a single residential family neighborhood and that they have a commercial operation directly across the street from them. He said the restriction originally placed on this property by the Town's own planners allowing entrance only from Greenbush Road is a very necessary one. He said if this restriction

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is not maintained there will be a significant increase in the density of useage and heavy traffic here.

Mr. Wheeler said the auto agency does not actually need this use and he cited the reasons he felt this way. He said that the developer's attorney said that the developer is not that anxious about this and he questioned why the Planning Board would be pushing for it and thereby becoming a partisan advocate. He urged the Town Board to make a more just decision and maintain the existing legal restriction of entrance only.

Mr. Wheeler mentioned toxic fumes which may emanate from ventilation of the car agency building. He said the property is down the hill from the residential section and the roof of their building and the vents from it are directly at ground level. There are prevailing westerly winds there which would take these emanations from the auto agency and blow them directly across the residential properties at ground level. He requested action from the Town Board or the Planning Board and if not they would have to have recourse by a civil suit against the developer. He felt better planning would be to look to this problem ahead of time.

Councilman Maloney asked Mr. Geneslaw if the Planning Board had requested ingress and egress until such time as a light would be in place and Mr. Geneslaw said yes. Mr. Geneslaw said the potential hazard of left turns from southbound traffic on Route 303 and left turns out of the site would favor having Greenbush available. He said the consultants did not agree with the Planning Board in this case. This would be rereviewed if a light becomes available in the future.

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

Mr. Lodico asked the Town Attorney if the Town would be liable after it has been notified that a road does not meet its own Town specifications and if an accident should occur would the Town be liable, especially a very heavily travelled road, such as Red Hill Road? He said Mr. Lampert, the Town's traffic consultant, cited this as one of the three dangerous areas in the Town of Clarkstown. He wanted this brought to the attention of the Town Board once again so that some judicial thought could be given to it and maybe a legal opinion on behalf of the Town Board. Supervisor asked the Town Attorney to comment. Town Attorney John Costa said the question of liability on behalf of the Town with respect to an alleged unsafe condition would depend on obviously the facts and circumstances surrounding that road. The mere existence of a road which is substandard does not of itself create liability on the part of the Town. There must be some negligence alleged and proven against the Town. The negligence would be a departure from a standard of reasonable care. If the Town has been reasonable in its behavior with respect to the condition such as a reasonable person in a similar situation would be then there would be no finding of negligence. He said obviously if someone presents notice of a problem it would be prudent for the Town to check it out.

Mr. Lodico asked what the minimum requirements are for a Town road in Clarkstown particularly the width? Town Attorney said we have many Town roads that are substandard but obviously if we are talking about roads that qualify for the state assistance the right of way should be a minimum of 50 feet and the pavement varies depending upon the type of road that is constructed and the traffic it is intended to carry. Mr. Lodico said this is in the area of a public school with buses going in both directions. He said if the question of the Town's liability arises the Town approved a subdivision in the area and then allowed, after final dedication of the road in the area, the encroachment of the sidewalk in that area to go over and beyond the road. It is an approximately three to

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four foot sidewalk that was overextending on the previous right of way. Therefore, the Town might be responsible in view of those facts. Town Attorney said the Town certainly could be responsible. Mr. Lodico asked the Town Board to consider it and he would bring it up again the first meeting in January.

Appearance: Mr. Alan Brenner
Central Nyack

Mr. Brenner commended the Town Board, especially Councilwoman Smith and Supervisor Holbrook, on the position they have taken with respect to the supervision of the day care centers within the Town of Clarkstown. He said one of the last assignments he had with the New York City Police Department was with the Task Force that monitored the day care centers. He said there had been large civil law suits against day care centers in general that were not properly insured and properly policed. He said the Town is heading in the right direction. He said he did not think the State was going to pick up any of this litigation and pay any of these law suits. He wished the Town Board a Merry Christmas and a Happy New Year.

Appearance: Mr. Steve Goldman
West Nyack, New York

Mr. Goldman asked some questions with regard to the 1988 budget. He asked whose decision it was to increase the post held by Mr. Costa by 25.4% for a part time job? He asked how that happened in one year? Supervisor said that decision in terms of salaries of Town Attorneys has not been established by the Town Board. That might have been proposed but it was not adopted by the Town Board and won't be adopted by the Town Board until January 4th. Unlike elected officials, the salaries of appointed officials like Town Attorneys can be raised or lowered at the discretion of the Town Board. It is really up to the members of the Town Board (the five people who would be sitting here) to determine what the salaries of the Town Attorneys would be. Mr. Goldman said then that would be the obligation of the new Town Board? Supervisor said that was correct.

Mr. Goldman said we have eight Town Attorneys (including deputies). The salaries run from between \$18,000.00 to \$55,000.00 at a total of \$204,000.00. He said apparently they get medical coverage, dental, eye glasses, pensions and that kind of thing. He said since these are all part time positions, wouldn't it be more efficient and a lot less expensive to go with a few full time people rather than eight part-time people?

Supervisor said that could be looked at. He said right now even with the number of attorneys we have it is difficult for the Board at times to find attorneys willing to serve in Town government. He said if we could afford to pay a couple of attorneys full time it might be more efficient for the Town. He said that could also be looked at from the standpoint of the justices too. That point has also been raised. It is a matter of the Town Board looking at that. It might be more efficient to hire three full time attorneys as opposed to having seven or eight part timers. It still has been difficult at times to fill those positions because there is a considerable time commitment even though it is a part time job and particularly for attorneys when they have their own practice and they have to juggle their Town commitment with court appearances, etc. The Town Attorney has a far greater time commitment, as does the 1st Deputy then the others.

Mr. Goldman said it has been his observation that there are two flavors of attorneys and that is the guy in private practice and the corporate mentality. He said we should be looking at the corporate mentality type person since business usually takes place during the day. We should make these full time jobs and fewer of them. Supervisor said that is something that could be looked at.

ABE545

RESOLUTION NO. (1243-1987)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT FOR MAP
127, BLOCK D, LOT 22.04 -
GREENE STREET, CONGERS
(MITLOF) - (280-a(2))

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to JOSEPH MITLOF for a lot situate at Greene Street, Congers, New York, an undedicated right-of-way, which lot is designated on the Clarkstown Tax Map as Map 127, Block D, Lot 22.04, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and shall provide:

1. That the property owner shall acknowledge that no Town services including but not limited to maintenance, paving or snow removal shall be provided along Greene Street, Congers, New York;

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street when and if required by the Town Board of the Town of Clarkstown;

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Greene Street, to 50 feet in width.

4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein,

and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit, the applicant shall:

(a) Obtain a subsoil study of this area by a New York State registered engineer with experience in soils and foundations. The engineer shall submit to the Department of Environmental Control a plan for foundation design and the installation of utilities with recommendations for the improvement of Greene Street.

(b) Submit a design for the sewer system for the proposed premises to the Department of Environmental Control for its review.

(c) Submit a detailed grading plan to the Department of Environmental Control showing the existing conditions on Greene Street and incorporating all the requirements established by the Town Board pursuant to this resolution and all other requirements of law,

and be it

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RESOLUTION NO. (1243-1987) Continued

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

(a) Widen and improve Greene Street to at least 18 feet in width from Lake Road to the first existing driveway on the west side (Tax Lot No. 22.0102). Thereafter, it must be extended with a 12 foot wide pavement to the proposed driveway on the subject parcel.

(b) The macadam on Greene Street shall be installed with a 6" sub-base course, a 3" asphalt concrete base and a 1 1/2" wearing course.

(c) Install a sanitary sewer connection, including the spur, at no cost to the Town.

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. (1244-1987)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT FOR MAP
114, BLOCK A, LOT 29.02,
CHESTER AVENUE, CONGERS
(MITLOF) - (280-a(2))

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to JOSEPH MITLOF on a lot situate at Chester Avenue, Congers, New York, an unimproved but mapped private right-of-way, which lot is designated on the Clarkstown Tax Map as Map 114, Block A, Lot 29.02, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no Town services including but not limited to maintenance, paving or snow removal shall be provided along Chester Avenue, Congers, New York;

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises on any mapped street when and if required by the Town Board of the Town of Clarkstown;

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Chester Avenue, to 50 feet in width.

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ABE545

RESOLUTION NO. (1244-1987) Continued

4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

(a) Extend sewer main with an 8" line to the easterly property line of the subject lot and provide a manhole. The size of the line, manhole and location shall be subject to the requirements of the Department of Environmental Control at the time of construction.

(b) Restore gravel road to its original condition or as otherwise required after all construction has been completed.

and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit the applicant shall obtain the recommendation of the Ambulance Corps and Fire Department as to the adequacy of the existing gravel driveway to provide safe access, and agree to provide any necessary improvements as established by the Department of Environmental Control.

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. (1245-1987)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT FOR MAP
162, BLOCK A, LOT 2.02,
FLOYD PLACE, NANUET (GEORGE
P. HANOS) (280-a(2))

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to GEORGE P.HANOS on a lot situate at 7 Floyd Place, Nanuet, New York, an unimproved but mapped private right-of-way, which lot is more particularly designated on the Clarkstown Tax Map as Map 162, Block A, Lot 2.02, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no Town services including but not limited to maintenance, paving or snow removal shall be provided along Floyd Place;

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said

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RESOLUTION NO. (1245-1987) Continued

premises on any mapped street when and if required by the Town Board of the Town of Clarkstown;

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Floyd Place, Nanuet, to 50 feet in width.

4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

(a) Install macadam pavement on the proposed roadway extension and the proposed driveway to fulfill the requirements of the Department of Environmental Control;

(b) Install a gravity sewer line through Lot A, or if a gravity sewer is not feasible as determined by the Department of Environmental Control, install a sewer pump which meets the specifications of said Department;

(c) Repair or repave Floyd Place to meet the requirements of the Department of Environmental Control;

(d) Install a berm along the southerly side of the proposed driveway to direct the runoff towards the proposed catch basin;

(e) Install a swale along the westerly line of subject property to direct surface runoff towards the existing catch basin.

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. (1246-1987)

AUTHORIZING ISSUANCE OF
BUILDING PERMIT FOR MAP 5,
BLOCK A, LOT 17, WILL
ROGERS LANE, SPRING VALLEY
(WILLIAM AND SADIE
COUGHLIN)(TOWN LAW SECTION
280-a(2)

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to WILLAM AND SADIE COUGHLIN on a lot situate at Will Rogers Lane, Spring Valley, New York, an

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ABE545

RESOLUTION NO. (1246-1987) Continued

unimproved but mapped private right-of-way, which lot is designated on the Clarkstown Tax Map as: Map 5, Block A, Lot 17, provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and which shall provide:

1. That the property owner shall acknowledge that no Town services including but not limited to maintenance, paving or snow removal shall be provided along Will Rogers Lane;

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street when and if required by the Town Board of the Town of Clarkstown;

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Will Rogers Lane, to 50 feet in width.

4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

6. That the owner acknowledges that Will Rogers Lane may be used to develop the parcel designated on the Clarkstown Tax Map as Map 5, Block A, Lot 5.72 which is located north of the proposed subdivision,

and be it

FURTHER RESOLVED, that prior to the issuance of a Building Permit, the applicant shall:

1. Obtain subdivision approval from the Town of Clarkstown Planning Board.

2. Obtain a permit from the Rockland County Drainage Agency for any work to be performed on the proposed driveway and roadway within the flood plain boundary.

3. Applicant's engineer shall verify and certify that the data referred to on the map submitted is in accord with the FEMA map. It is a further requirement that the flood plain boundary to be shown on said map shall be based on the FEMA elevations and shall clearly indicate the 100 year flood elevation.

4. Submit a detailed site grading plan incorporating all the requirements of the Department of Environmental Control on the proposed subdivision map or otherwise obtain the review and approval of said Department regarding same.

5. Submit a plan and profile for the improvement of Will Rogers Lane to the Department of Environmental Control for its review and approval,

and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

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RESOLUTION NO. (1246-1987) Continued

(a) Install 16 foot wide pavement on Will Rogers Lane according to Town specifications for dedicated roadways. It is a requirement that the roadway be constructed in such a way that it can be used as half the roadway when the parcel to the north comes in for development if the owner elects to use the same right-of-way for access.

(b) Install concrete curbing and drainage system on the southside of the required improvements to the roadway which may be completed at such time as development of the parcel to the north is commenced.

(c) Install a turnaround at the end of the roadway meeting the requirements of the Department of Environmental Control.

(d) Install sanitary sewer house connection, including the spur, at no cost to the Town.

(e) The lowest floor elevation must be certified on the final survey to be at least one foot above the 100 year flood elevation.

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. (1247-1987)

AUTHORIZING TOWN BOARD TO
ENTER INTO AGREEMENT WITH
FINNEGAN ASSOCIATES, INC. -
CHARGE TO ACCOUNT NO. A
1355-409

Co. Carey offered the following resolution:

WHEREAS, a proposal has been made by Finnegan Associates, Inc., to provide data collection services for taxable commercial/industrial properties for the Office of the Tax Assessor of the Town of Clarkstown, as described therein, and

WHEREAS, the Tax Assessor recommends the Town Board enter into an agreement to obtain such services;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor, on behalf of the Town Board, is hereby authorized to enter into an agreement with Finnegan Associates, Inc., in a form approved by the Town Attorney in accordance with its proposal dated December 3, 1987, as amended, for the period commencing March 1, 1988 and terminating on February 28, 1989, at a cost not to exceed the sum of \$70,000.00, and be it

FURTHER RESOLVED, that the sum of \$70,000.00 is hereby appropriated from Account No. A-1355-409 to pay for the services to be provided.

Seconded by Co. Maloney

On roll call the vote was as follows:

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ABE545

RESOLUTION NO. (1247-1987) Continued

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

RESOLUTION NO. (1248-1987)(F A I L E D) MODIFYING AND EXTENDING
RESOLUTION ADOPTED BY TOWN
BOARD ON FEBRUARY 16, 1972
AUTHORIZING ACCESS TO
SECONDARY ROAD PURSUANT TO
SECTION 106-25(D) OF THE
ZONING ORDINANCE OF TOWN OF
CLARKSTOWN - MAP 105, BLOCK
A, LOT 28, GREENBUSH ROAD,)

Co. Smith offered the following resolution:

WHEREAS, by resolution dated February 16, 1972, the Town Board authorized approval of secondary access for a site plan for the development of premises known as Tiso Development Corp., for premises designated on the Clarkstown Tax Map as Map 105, Block A, Lot 28, with ingress only from Greenbush Road, and

WHEREAS, said site is subject of redevelopment upon application of Cobco II, and

WHEREAS, the Planning Board has recommended that the resolution adopted on February 16, 1972, be amended to authorize ingress and egress access onto Greenbush Road for passenger vehicles only;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 106-25(D) of the Zoning Ordinance of the Town of Clarkstown, the Town Board hereby modifies and extends its resolution adopted on February 16, 1972, to authorize ingress and egress for passenger vehicles from the subject site to Greenbush Road, as shown on the site plan of Cobco II entitled, "Site Plan, Cobco II, Town of Clarkstown, Rockland County, New York," dated July 29, 1987 and last revised on October 28, 1987, drawn by Henry Horowitz, Inc., Civil Engineers and Land Planning Consultants, provided, however, this permission shall expire at such time as a traffic light may be installed on Route 303 opposite the main entrance to the subject site.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (1249-1987) SCHEDULING SCOPING SESSION
PURSUANT TO 617.17 SEQRA
REGULATIONS (CLINTON SQUARE
PLAZA, INC.)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (1249-1987) Continued

WHEREAS, an application has been made by Clinton Square Plaza, Inc. requesting a zone change from LIO to MRS zone for certain property located in the vicinity of Routes 59 and 303, West Nyack, New York, and

WHEREAS, for the purposes of compliance with the State Environmental Quality Review Act (SEQRA), the Town Board has determined that it will act as lead agency for the purpose of said application;

NOW THEREFORE, be it

RESOLVED, that a formal scoping session pursuant to 617.17 NYCRR is hereby scheduled for 2:00 p.m., January 15, 1988, in the Clarkstown Town Hall, Room 311, 10 Maple Avenue, New City, New York, and be it

FURTHER RESOLVED that Manuel S. Emanuel Associates, Inc. as agent for the Town Board with respect to the required review of the DEIS, is hereby authorized and directed to send notice of said scoping session to all involved agencies and other interested parties on or before January 4, 1988.

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. (1250-1987)

AUTHORIZING ATTENDANCE AT
1988 SCHOOL OF SPORTS
MANAGEMENT (JO ANNE
OLDENBURGER) - RECREATION
DEPARTMENT - CHARGE TO
1987- A 7310-414 AND 1988-
A 7310-414

Co. Maloney offered the following resolution:

RESOLVED, that Jo Anne Oldenburger, Recreation Supervisor, is hereby authorized to attend the 1988 School of Sports Management - First Year from February 14, 1988 through February 18, 1988, in Wheeling, West Virginia, and

FURTHER RESOLVED, that all necessary expenses not to exceed \$545.00 be charged as follows:

1987: A 7310-414 -	\$195.00
1988: A 7310-414 -	\$350.00

Seconded by Co. Smith

On roll call the vote was as follows:

Co. Carey.....	Yes
Co. Lettre.....	Yes
Co. Maloney.....	Yes
Co. Smith.....	Yes
Supervisor Holbrook.....	Yes

ABE545

RESOLUTION NO. (1251-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #13-1988,
FURNISH & INSTALL TWO (2)
FLASHING BEACON SIGN
ASSEMBLIES ON WEST
CLARKSTOWN RD. (AT ADDISON
BOYCE DRIVE), SPRING VALLEY

Co. Maloney offered the following resolution:

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

BID #13-1988
FURNISH & INSTALL TWO (2) FLASHING BEACON
SIGN ASSEMBLIES ON WEST CLARKSTOWN ROAD
(AT ADDISON BOYCE DRIVE), SPRING VALLEY

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, January
25, 1988 at which time bids will be opened and read, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

RESOLUTION NO. (1251-1987) Continued

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

RESOLUTION NO. (1252-1987)

AMENDING RESOLUTION NO.
1217-1987 AND AUTHORIZING
DIRECTOR OF PURCHASING TO
ADVERTISE FOR BIDS FOR BID
#10-1988 - BITUMINOUS
CONCRETE

Co. Maloney offered the following resolution:

RESOLVED, that Town Board resolution #1217-1987 is
hereby amended to read

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

BID #10-1988
BITUMINOUS CONCRETE

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,
January 19, 1988 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.

RESOLUTION NO. (1252-1987) Continued

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. (1253-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #14-1988 -
GROUNDSKEEPING/LANDSCAPING
SUPPLIES

Co. Maloney offered the following resolution:

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

BID #14-1988
GROUNDSKEEPING/LANDSCAPING SUPPLIES

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,
January 26, 1988 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. 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. (1254-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #15-1988 -
RECYCLING VEHICLES

Co. Maloney offered the following resolution:

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

BID #15-1988
RECYCLING 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 Thursday,
January 28, 1988 at which time bids will be opened and read, and be
it

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

Seconded by Co. Carey

Continued on Next Page

ABE545

RESOLUTION NO. (1254-1987) 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. (1255-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #16-1988 -
STORAGE AND DELIVERY OF
TOWN VOTING MACHINES

Co. Maloney offered the following resolution:

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

BID #16-1988
STORAGE AND DELIVERY OF
TOWN VOTING MACHINES

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,
February 1, 1988 at which time bids will be opened and read, and
be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (1256-1987)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #12-1988 -
COVERALL RENTAL SERVICE

Co. Maloney offered the following resolution:

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

BID #12-1988
COVERALL RENTAL SERVICE

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,
January 20, 1988 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.

RESOLUTION NO. (1256-1987) Continued

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. (1257-1987)

AWARDING BID FOR BID
#5-1988 -
CUSTODIAL/JANITORIAL
SUPPLIES (QUICK CHEMICAL
CO., NELSTARR CHEMICAL CO.,
HYDRO BOLT CORP., ROSEBRAND
WIPERS, HALBRO INC., E. A.
MORSE CO., MT. ELLIS PAPER
SUPPLY, BURKE SUPPLY CO.
AND ZEP MFG. CO.)

Co. Carey offered the following resolution:

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

BID #5-1988
CUSTODIAL/JANITORIAL SUPPLIES

is hereby awarded to

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

NELSTARR CHEMICAL CO.
Box 204 RD 2
Port Jervis, N.Y. 12771

HYDRO BOLT CORP.
31 Jiles Court
Bohemia, N.Y. 11716

ROSEBRAND WIPERS
517 West 35th Street
New York, N.Y. 10001

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

E.A. MORSE CO.
11-25 Harding Street
Middletown, N.Y. 10940

MT. ELLIS PAPER SUPPLY
214 MacArthur Avenue
Newburgh, N.Y. 12550

BURKE SUPPLY CO.
880 Meeker Avenue
Brooklyn, N.Y. 11222

ZEP MFG. CO.
P.O. Box 299
Springfield, N.J. 07081

as per schedule of items/prices on file in Purchasing Department.

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

ABE545

RESOLUTION NO. (1258-1987)

AWARDING BID FOR BID
#78-1987 - LIQUID CALCIUM
CHLORIDE (JAMES REED SALES,
INC.)

Co. Carey offered the following resolution:

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

BID #78-1987
LIQUID CALCIUM CHLORIDE

is hereby awarded to

JAMES REED SALES, INC.
Box 130
Grahamsville, N.Y. 12740

as per their proposal cost of .71 per gallon.

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. (1259-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO INSTALL VARIOUS
SIGNS AT BUENA VISTA DRIVE
AND SAW MILL ROAD, NEW CITY

Co. Carey offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway
Engineering Consultant in a report dated December 14, 1987 has
recommended parking restrictions for Buena Vista Road and Saw Mill
Road, New City,

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>
<u>Buena Vista Drive</u>		
200 Ft. S/O Rodeo Drive	Winding Road 15 MPH	W1-10L W9-1X
Rodeo Dr. - NE Corner Facing South	Large Right Arrow	W1-12C
Rodeo Dr. -NW Corner Facing East	Large Left Arrow	W1-11C
90o Curve E/O Rodeo Dr.-East Side Facing West	Large Left Arrow	W1-11C
90o Curve E/O Rodeo Dr.-South Side Facing North	Large Right Arrow	W1-12C

Continued on Next Page

RESOLUTION NO. (1259-1987) Continued

Saw Mill Road

WB 300 Ft. E/O Buena Vista Dr. Left Turn W1-1C
10 MPH W9-1X

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

ABE545

RESOLUTION NO. (1260-1987)

DIRECTING SUPT. OF HIGHWAYS
TO INSTALL VARIOUS TRAFFIC
SIGNS - CAIRNSMUIR LANE AND
HIGHVIEW AVENUE, NANUET

Co. Carey offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway
Engineering Consultant in a report dated December 14, 1987 has
recommended school speed limit signs for Cairnsmuir Lane and
Highview Avenue, Nanuet

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>
<u>Cairnsmuir Lane</u>		
WB 200 Ft. W/O Strawtown Road	Stop Ahead	W2-15B
WB W/O Strawtown Road	School Child	W6-1C
WB E/O Mark Lane	School	W6-1C
	Speed Limit 15	R2-1C
WB 200 Ft. E/O Jeff Lane	T Intersection	W2-2C
EB 200 Ft. W/O Jeff Lane	" "	" "
EB W/O Balsam Court	School	W6-3C
	Speed Limit 15	R2-1C
WB W/O Balsam Court	Town Speed Limit 30	R2-6C
EB E/O Congers Road	School Child	W6-1C

Highview Avenue

NB N/O Atlantic Avenue	School Child	W6-1C
NB S/O Blauvelt Street	" "	W6-2C
NB S/O Robert Place	School	W6-3C
	Speed Limit 15	R2-1C
SB S/O Robert Place	Town Speed Limit 30	R2-6C

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. (1261-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO INSTALL VARIOUS
TRAFFIC SIGNS AT VARIOUS
TOWN LOCATIONS

Co. Carey offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway
Engineering Consultant in a report dated December 11, 1987 has
recommended replacement of existing yield signs with stop signs,

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>
EB Colton St., at Massachusetts Ave., Congers	STOP	R1-1
SB Babbling Brook Lane at Old Mill Ct. Valley Cottage	STOP	R1-1
NB Pine St., at Waldron Avenue, Central Nyack	STOP	R1-1
SB Pine St., at Waldron Avenue, Central Nyack	STOP	R1-1
NB Duane Avenue at Deerfield Drive, New City	STOP	R1-1
SB Duane Avenue at Deerfield Drive, New City	STOP	R1-1

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. (1262-1987)

DIRECTING SUPERINTENDENT
OF HIGHWAYS, COUNTY OF
ROCKLAND HIGHWAY
DEPARTMENT, JOSEPH, HORNIK
TO INSTALL STOP SIGNS
(VARIOUS LOCATIONS)

Co. Carey offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway
Engineering Consultant in a report dated December 11, 1987 has
recommended replacement of existing yield signs with stop signs,

NOW, THEREFORE, be it

RESOLVED, that Joseph Hornik, Supt. of Highways, County
of Rockland Highway Department, is hereby directed to install the
following:

Continued on Next Page

RESOLUTION NO. (1262-1987) Continued

ABE545

<u>SIGNS</u>	<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
	NB Ohio Avenue at Lake Road, Congers	STOP	R1-1
	NB Vermont Avenue at Lake Road, Congers	STOP	R1-1
	NB Highway Avenue at Lake Road, Congers	STOP	R1-1
	NB Lenox Avenue at Lake Road, Congers	STOP	R1-1
	NB Primrose Lane at Congers Road, New City	STOP	R1-1

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. (1263-1987)

DIRECTING SUPERINTENDENT OF
HIGHWAYS TO INSTALL TRAFFIC
SIGNS (VARIOUS LOCATIONS)

Co. Carey offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway
Engineering Consultant, in a report dated December 4, 1987, has
recommended traffic safety improvements for Southward Avenue,
Congers,

NOW, THEREFORE, be it

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

<u>SIGNS</u>	<u>Location</u>	<u>Legend</u>	<u>NY State Sign #</u>
	EB Southward Avenue at Wells Avenue	Yield	R1-2C
	WB Southward Avenue at Wells Avenue	Yield	R1-2C
	NB Southward Avenue at Hilltop Rd.	Yield	R1-2C
	SB Jolliffe Avenue at Hilltop Road	Yield	R1-2C
	NB Jolliffe Avenue N/O Hilltop Road	Dead End	W3-17C
	NB Friend Court N/O Lakeward Avenue	Dead End	W3-17C
	WB Hilltop Road W/O Route 303	Weight Limit 4 Tons Except Local Delivery	R5-1C R7-3W
	WB Lakeward Avenue W/O Route 303	Weight Limit 4 Tons Except Local Delivery	R5-1C R7-3W

Continued on Next Page

RESOLUTION NO. (1263-1987) Continued

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
NB Sherman Avenue N/O Lake Road	Weight Limit 4 Tons Except Local Delivery	R5-1C R7-3W
NB Sheridan Avenue N/O Lake Road	Limit 4 Tons Except Local Delivery	R5-1C R7-3W
NB Burnside Avenue N/O Lake Road	Weight Limit 4 Tons Except Local Delivery	R5-1C R7-3W

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. (1264-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO RENEWAL AGREEMENT
WITH HI-TOR ANIMAL CARE
CENTER, INC. FOR 1988

Co. Smith offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into a renewal agreement with the Hi-Tor Animal Care Center, Inc., to utilize said facilities as an animal shelter and pound for the Town of Clarkstown for the period commencing January 1, 1988 and terminating on December 31, 1988, with all the other terms and conditions of the present agreement to remain the same, upon the recommendations of the Town Clerk and the Dog Control Officer.

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. (1265-1987)

AUTHORIZING SUPERINTENDENT OF
HIGHWAYS TO INSTALL STOP SIGN
ON LINK COURT INTERSECTION OF
RED HILL ROAD, NEW CITY

Co. Smith offered the following resolutions:

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 Link Court where it intersects Red Hill Road, New City, 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.

RESOLUTION NO. (1265-1987) Continued

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. (1266-1987)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
"TOWN SPEED 30" SIGN
WESTSIDE DOSCHER AVENUE
OPPOSITE MEDICAL BUILDING

ABE667

Co. Smith 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 sign to read, "TOWN SPEED 30" to be
erected on the westside of Doscher Avenue
opposite the Medical Building at the proper
distance from Route 59

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. 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. (1267-1987)

APPOINTING AND AUTHORIZING
HEARING OFFICER WITH REGARD
TO SECTION 75 OF CIVIL
SERVICE LAW - DISCIPLINARY
PROCEEDINGS (RAMUNDO
SAMALA) - CHARGE TO ACCOUNT
NO. A 1420-409

Co. Smith offered the following resolution:

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

NOW, THEREFORE, be it

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

Continued on Next Page

RESOLUTION NO. (1267-1987) Continued

FURTHER RESOLVED, that Patrick J. Finnegan, Esq., 16 Virginia Avenue, West Nyack, New York, is hereby appointed as hearing officer to hear, report and recommend action to be taken by the Town Board, and be it

FURTHER RESOLVED, that the sum of \$100.00 per hour shall be charged for all necessary services performed by said hearing officer, and be it

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

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. (1268-1987)

GRANTING PERMISSION TO
PIERMONT FIRE
DEPARTMENT/EMPIRE HOSE CO.
#1 FOR USE OF SHOWMOBILE

Co. Maloney offered the following resolution:

WHEREAS, the Piermont Fire Department/Empire Hose Co. #1 has requested use of the Town of Clarkstown showmobile on Saturday, September 10, 1988 from 11:00 A.M. to 5:00 P.M. for the Rockland County Volunteer Firemen's Association Annual Parade,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Piermont Fire Department/Empire Hose Co. #1 to use the Town of Clarkstown showmobile on Saturday, September 10, 1988, for the above purposes and subject to the provision of the necessary insurance policies.

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. (1269-1987)

GRANTING SPECIAL PERMIT TO
CONDUCT LANDFILL OPERATION
(J. OWENS BUILDING COMPANY)

Co. Maloney offered the following resolution:

WHEREAS, J. OWENS BUILDING COMPANY, has petitioned the Town board of the Town of Clarkstown for a Special Permit for the operation of a landfill pursuant to the provisions of Section 106-10A, Table 14, Column 13, Item B-3 of the Zoning Ordinance of the Town of Clarkstown for property located to the north of Route 59 and the east side of Sickletown Road, West Nyack, New York, more particularly described on the Clarkstown Tax Map as Map 71, Block A, Lot 5, and

RESOLUTION NO. (1269-1987) Continued

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on the 9th day of June, 1987 at 8:10 P.M., to consider such application;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of the Department of Environmental Control, dated July 9, 1987, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the requested special permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

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

1. The landfill operation shall be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Shall not cause undue traffic congestion or create a traffic hazard;
3. Shall not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Shall not adversely affect the character of/or property values in the area;
5. Petitioner shall comply with all terms and conditions of the permit issued by the Rockland County Drainage Agency dated October 16, 1987;
6. Shall not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
7. Shall comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

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

1. Compliance with the conditions set forth in the permit issued by the Rockland County Drainage Agency.
2. Compliance with Section 106-16L of the Zoning Ordinance of the Town of Clarkstown annexed hereto;
3. All fill material shall be clean, non-flammable and non-toxic fill as determined and approved by the Town of Clarkstown Department of Environmental Control. Applicant shall keep a daily written log as to the contents and the source of the fill material, which log shall be open for inspection at all times to the Town of Clarkstown Department of Environmental Control;
4. Petitioner shall take all necessary steps to preserve and protect adjacent public water supply and the Hackensack River as determined by the Clarkstown Department of Environmental Control;

Continued on Next Page

RESOLUTION NO. (1269-1987) Continued

5. All necessary engineering design and construction improvements that affect drainage and adjoining properties will be first submitted to the Town of Clarkstown Department of Environmental Control for determination and approval;

6. In the event that the Town Board requires retention of an outside consulting engineering firm at any time during the landfill operation, applicant agrees to pay the costs of such consultant;

7. In the event that the Town Board or any of its agencies is named as a party defendant in a lawsuit as a result of the landfill operations of the applicant pursuant to the Special Permit, applicant agrees to save harmless the Town from any costs of the unsuccessful defense and any damages which may result in a judgement against the Town of Clarkstown;

and be it

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

TOWN BOARD OF THE TOWN OF CLARKSTOWN

Charles E Holbrook,
Supervisor

Town Attorney said the applicant's attorney had requested the Town Board to reconsider this based on the fact that the Rockland County Drainage Agency had issued a permit. It was resubmitted to the Rockland County Planning Board and they gave a further recommendation which at this time is a qualified approval. It is conditioned upon the permit being issued subject to other requirements of the fill permit. Les Bollman, Director of Environmental Control said the Rockland County Drainage Agency did issue a permit and then it went back to the Rockland County Planning Board. Town Attorney said on the second request they issued a conditioned approval subject to compliance with the Drainage Agency conditions. They had previously given a negative response.

Councilman Lettre said the 3-2 vote which took place last time and not effective because of a negative vote by the Rockland County Planning Board would in fact now be considered an affirmative, is that correct? Town Attorney said a 3-2 vote could adopt this resolution at this time because it does impose that condition.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1270-1987)

GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES - CLARKSTOWN
PARKS BOARD AND RECREATION
DEPARTMENT (SENIOR CITIZEN
CLUB - CONGERS I - PARTY

ABE740

RESOLUTION NO. (1270-1987) Continued

Co. Maloney offered the following resolution:

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

NOW, THEREFORE, be it

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

Senior Citizen Club - Congers I
Party - January 6, 1988

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. (1271-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
COMPLUS DATA INNOVATIONS,
INC. (PARKING TICKETS)

Co. Smith offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement with Complus Data Innovations, Inc., to process all parking tickets, and be it

FURTHER RESOLVED, that said agreement shall be in a form acceptable to the Town 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. (1272-1987)

ACCEPTING ROAD AND
IMPROVEMENTS - AOR
DEVELOPERS, INC. (ELON
COURT)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney of the Town of

Continued on Next Page

ABE545

RESOLUTION NO. (1272-1987) Continued

Clarkstown, deed from AOR DEVELOPERS, INC. dated June 25, 1987, conveying road(s) and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of ACORN HOMES, filed in the Rockland County Clerk's Office on May 28, 1986, in Book No. 105 at Page 53 as Map No. 5896 as follows:

ELON COURT 490 L.F.

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

FURTHER RESOLVED, that the agreement guaranteeing the road and improvements for a period of one (1) year with security posted by the developer in the amount of \$7,500.00 is hereby accepted, subject to the developer submitting financial security to guarantee performance for a period of at least one year from the date of acceptance, and additional cash deposit security of \$2,000.00 to guarantee that curb installation meets Town 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. (1273-1987)

ACCEPTING ROADS AND RELATED IMPROVEMENTS - LIBERTY PARK SUBDIVISION (SHERMAN AVENUE, LAKEWARD AVENUE, SOUTHWARD AVENUE, HILLTOP ROAD, JOLLIFFE AVENUE)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of the Department of Environmental Control and the Town Attorney, deeds dated December 6, 1984, from Bard Rock Corp. conveying roads and other public improvements to the Town of Clarkstown in a subdivision on Final Plat of "Liberty Park Subdivision" dated March 13, 1984, last revised November 14, 1984, recorded in the Rockland County Clerk's Office on January 3, 1985, in Book No. 103 at Page 4 as Map No. 5697, as follows:

SHERMAN AVENUE 735 L.F.
LAKEWARD AVENUE 370 L.F.
SOUTHWARD AVENUE 654 L.F.
HILLTOP ROAD 672 L.F.
JOLLIFFE AVENUE 939 L.F.

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

FURTHER RESOLVED, that the agreement guaranteeing the roads and improvements for a period of one (1) year, with security posted by the developer in the amount of \$15,375, is hereby accepted.

RESOLUTION NO. (1273-1987) 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. (1274-1987)

ACCEPTING ROAD AND RELATED
IMPROVEMENTS - SUBDIVISION
FOR ANN POWER (EXTENSION OF
COTTAGE LANE)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of Environmental Control and the Town Attorney of the Town of Clarkstown, the following deeds conveying a road, a Conservation Easement and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Subdivision for Ann Power" filed in the Rockland County Clerk's Office on April 9, 1986, in Book No. 105 at Page 34 as Map No. 5877, are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording and subject to receipt of certificate of title insuring the Conservation Easement for the benefit of the Town of Clarkstown:

Deed dated November 6, 1987, from Andrea Homes, Inc. for a 15 ft. wide drainage easement.

Deed dated September 24, 1987, from Andrea Homes, Inc. for the Extension of Cottage Lane - 264 L.F.

Conservation Easement dated November 6, 1987, made by Andrea Homes, Inc., affecting Lot #3 as shown on map prepared by William Youngblood Associates dated January 9, 1985, last revised April 26, 1985

and be it

FURTHER RESOLVED, that the agreement guaranteeing the road and improvements for a period of one (1) year, with security posted by the developer in the amount of \$1,300.00 is hereby accepted, and be it

FURTHER RESOLVED, that the written Performance Agreement with security posted by the developer in the sum of \$1,100.00 for the completion of certain items is hereby accepted.

Seconded by Co. Smith

On roll call the vote was as follows:

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

ABE545

RESOLUTION NO. (1275-1987)

AUTHORIZING TOWN ATTORNEY
TO DEFEND ACTION (PEOPLE OF
THE STATE OF NEW YORK BY
ROBERT ABRAMS, ATTORNEY
GENERAL OF THE STATE OF NEW
YORK V. TOWN OF CLARKSTOWN)

Co. Smith offered the following resolution:

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

PEOPLE OF THE STATE OF NEW YORK, BY ROBERT ABRAMS,
Attorney General of the State of New York,

-against -

THE TOWN OF CLARKSTOWN.

NOW, THEREFORE, be it

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

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. (1276-1987)

AUTHORIZING PROCEEDING FOR
REMOVAL OF VIOLATIONS ON
PREMISES - MAP 7, BLOCK A,
LOT 25 (2335 SECOND AVENUE
CORP.)

Co. Maloney offered the following resolution:

WHEREAS, Section 79-6 of the Code of the Town of
Clarkstown provides that the Town Board may, by resolution,
authorize the Superintendent of Highways or other designee to remove
any nuisance, hazard or litter from any property within the Town of
Clarkstown upon the failure of the property owner, tenant or
occupant to comply with written notice from the Police Department,
Fire Inspector, Building Inspector, Superintendent of Highways or
delegees to remove such nuisance, hazard, or litter, as defined in
Section 79-3 and Section 79-5 of the Code of the Town of Clarkstown
existing on private property, and

WHEREAS, it has been reported by the Building Inspector
that premises known and designated on the Tax Map of the Town of
Clarkstown as MAP 7, BLOCK A, LOT 25, located at 23 Second Avenue,
Spring Valley, New York, reputedly owned by 2335 SECOND AVENUE
CORP., has been the subject of a violation notice issued against the
property owner(s) for lack of proper maintenance of the property in
that there is garbage, debris, litter and weeds in the rear yard and
three unregistered vehicles on the premises, to the extent such
accumulation has occurred on said property has created a nuisance
and hazard to the health, safety and welfare of the community;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (1276-1987) Continued

RESOLVED, that the Town Attorney is hereby authorized to institute a proceeding to compel the removal of the violation and elimination of the nuisance and hazard allegedly existing on said premises, pursuant to the authority contained in Chapter 79 of the Code of the Town of Clarkstown on premises known and designated as MAP 7, BLOCK A, LOT 25, reputedly owned by 2335 SECOND AVENUE CORP., and be it

FURTHER RESOLVED, that said Notice and Order shall advise the property owner(s) that upon failure to remove and otherwise correct the nuisance existing on said property that the Town Board may, after a public hearing, cause such nuisance, hazard and litter to be removed by the Superintendent of Highways or other designee and that the cost of such removal shall be charged and assessed against the property owners in accordance with the provisions of Section 79-6 of the Code of the Town of Clarkstown, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 26th day of January, 1988, at 8:20 P.M., at which time the then existing condition of the property shall be determined and appropriate enforcement Order if warranted be made to preserve and protect the health, safety and welfare of the community, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to serve the Order provided for herein and the notice of the public hearing upon the record property owners by personal service, if possible, and by certified mail, return receipt on or before December 31, 1987.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1277-1987)

SETTING PUBLIC HEARING RE:
ZONE CHANGE FROM LO
DISTRICT TO CS DISTRICT -
MAP 120, BLOCK A, LOTS 28
AND 31.01 (HEGARTY HOMES,
INC.)

Co. Maloney offered the following resolution:

WHEREAS, HEGARTY HOMES, INC., has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an LO District to an CS District, and designated on the Clarkstown Tax Map as Map 120, Block A, Lots 28 and 31.01;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 26th day of January, 1988 at 8:15 P.M., relative to the proposed amendment, and be it

Continued on Next Page

ABE545

RESOLUTION NO. (1277-1987) Continued

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1278-1987)

ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETINGS
OF NOVEMBER 24, 1987 AND
DECEMBER 8, 1987

Co. Maloney offered the following resolution:

RESOLVED, that the Minutes of the regular Town Board Meetings of November 24, 1987 and December 8, 1987 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1279-1987)

AUTHORIZING SUPERVISOR TO
FILE RECREATION AND YOUTH
SERVICE PROJECT RENEWAL
APPLICATION WITH NEW YORK
STATE EXECUTIVE DEPARTMENT
DIVISION FOR YOUTH

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to file a Recreation and Youth Service Project Renewal Application with the New York State Executive Department Division for Youth, in the amount of \$74,085.00 for the period commencing January 1, 1988 through December 31, 1988.

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. (1280-1987)

RESCINDING RESOLUTION NO.
1145-1987 RE: LEAVE OF
ABSENCE (RICHARD PLESAK)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution NO. 1145-1987, adopted at the November 10, 1987 Town Board Meeting, granting a one year leave of absence, with pay, for Richard Plesak is hereby rescinded.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1281-1987)

APPOINTING (CONTINGENT
PERMANENT) TO POSITION OF
SENIOR CLERK - ASSESSOR'S
OFFICE (FRANCES KOPPEL)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Clerk #87176 which contains the name of Frances Koppel,

NOW, THEREFORE, be it

RESOLVED, that Frances Koppel, 41 Lakewood Drive, Congers, New York, is hereby appointed - contingent permanent - to the position of Senior Clerk - Assessor's Office - at the current 1987 annual salary of \$18,195.00, effective December 23, 1987.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (1282-1987)

GRANTING CERTIFICATE OF
REGISTRATION - CAL MART
CONSTRUCTION CORP. (NO.
88-6)

Co. Carey offered the following resolution:

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

CAL MART CONSTRUCTION CORP.
357A Route 59
West Nyack, New York 10994

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

Continued on Next Page

ABE545

RESOLUTION NO. (1282-1987) Continued

88-6 issued to Cal Mart Construction Corp.

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. (1283-1987)

GRANTING CERTIFICATE OF
REGISTRATION TO W. HARRIS &
SON, INC. (NO. 88-3)

Co. Carey offered the following resolution:

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

W. HARRIS & SON, INC.
37 W. Washington Ave.
Pearl River, New York 10965

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration
be issued:

88-3 issued to W. Harris & Son, Inc.

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. (1284-1987)

GRANTING CERTIFICATE OF
REGISTRATION TO TAPPAN ZEE
EQUIPMENT INDUSTRIES, INC.
(NO. 88-2)

Co. Carey offered the following resolution:

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

TAPPAN ZEE EQUIPMENT INDUSTRIES, INC.
40 Glenwood Road
New City, New York 10956

NOW THEREFORE, be it

RESOLVED, that the following Certificate of Registration
be issued:

88-2 issued to Tappan Zee Equipment Industries,
Inc.

RESOLUTION NO. (1284-1987) 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

At the request of the Supervisor Town Attorney explained the following resolution in detail.

RESOLUTION NO. (1285-1987)

AUTHORIZING SUPERVISOR TO
ENTER INTO CONSENT
DETERMINATION (MIELE
SANITATION COMPANY)

Co. Smith offered the following resolution:

WHEREAS, by Charges and Specifications served on or about November 5, 1987, MIELE SANITATION COMPANY, located at 745 Closter Dock Road, Closter, New Jersey, a refuse hauler authorized to use the Clarkstown Sanitary Landfill and engaged in business of garbage removal in the Town of Clarkstown was charged with violation of Section 63-10(C) of the Town Code of the Town of Clarkstown, committed on or about October 13, 1987, for alleged dumping of garbage, rubbish, or debris into the Town of Clarkstown Sanitary Landfill without the special permission of the Town Board when said garbage, rubbish, or debris was collected outside of the Town of Clarkstown, and

WHEREAS, a public hearing was scheduled for December 7, 1987 at 9:00 P.M., in Room 311 at Town Hall, Town of Clarkstown, 10 Maple Avenue, New City, New York, pursuant to Town Law and the Town Code of the Town of Clarkstown to inquire into said allegations, and

WHEREAS, MIELE SANITATION COMPANY, the Respondent, has offered to enter into a Consent Determination in lieu of such fact finding hearing being held whereby the Respondent would admit the essential Allegations of Specification No. 1 in the Statement of Allegations dated November 4, 1987, consent to the imposition of a civil penalty of \$3,000.00, payable on or before January 15, 1988, and further consent to the imposition of a six (6) month period of suspension of the Respondent's permission to use the Clarkstown Sanitary Landfill provided further that said suspension shall be deferred upon the condition that the Respondent commit no further violation of the Town Code or other law regarding use of the Clarkstown Sanitary Landfill facility during the period of one (1) year from the date of the Consent Determination, or in lieu thereof, upon conviction or adjudication of any such violation committed during said period such deferred suspension shall be revoked and the Respondent, in addition to any other penalties or convictions it may suffer, shall be barred from the use of the Clarkstown Sanitary Landfill for a period of six (6) months thereafter, and

WHEREAS, the Town Attorney recommends acceptance of the offer to this Consent Determination;

NOW, THEREFORE, be it

Continued on Next Page

ABE545

RESOLUTION NO. (1285-1987) Continued

RESOLVED, that the Supervisor is hereby authorized to enter into a Consent Determination pursuant to the terms and conditions set forth above in a form approved by the Town Attorney, or in lieu thereof the public hearing which was scheduled to be convened on December 21, 1987 at 8:00 P.M., in Room 311 of the Clarkstown Town Hall shall commence upon two (2) days notice to Respondent on January 25, 1988, at 8:00 P.M., and be it

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

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. (1286-1987)

AMENDING RESOLUTION NO.
1073-1987 AUTHORIZING
DIRECTOR OF ENVIRONMENTAL
CONTROL TO PERFORM
CORRECTIVE DRAINAGE WORK
VICINITY MAP 137, BLOCK A,
LOTS 41.11, 42.16 AND
42.20, VALLEY COTTAGE

Co. Smith offered the following resolution:

WHEREAS, an adverse drainage condition existed in the vicinity of Lots 137-A-41.11, 42.16 and 42.20, Valley Cottage, New York; and

WHEREAS, the Department of Environmental Control recommended a solution to ameliorate said condition; and

WHEREAS, the Town Board at its meeting of October 27, 1987, by Resolution NO. 1073-1987 approved the allocation to correct said condition; and

WHEREAS, during construction of the proposed drainage system to ameliorate said condition certain field changes were required in order to have the proposed drainage system function properly as follows: a) a fabric filter lining of the trench which totally encased the trench, stone and pipe was required in order to prevent the infiltration of silt into the new system; b) the trench was totally filled with stone rather than being filled with stone and excavated fill - this was done to allow surface runoff to be intercepted by the stone at grade and be carried by the proposed drainage system; c) during construction an underground spring was encountered that was discharging a continuous flow of water into the excavation site thus requiring the extension of the drainage system to not only drain the area during construction, but to continue when the system was completed;

NOW, THEREFORE, be it

RESOLVED, that the original sum allocated be increased by \$8,004.80; and be it

FURTHER RESOLVED, that the total cost of the project shall not exceed \$14,504.80.

RESOLUTION NO. (1286-1987) 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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Zone Change from R-22 to LIO (Hoag) was opened, time: 8:50 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Zone change from R-22 to LIO (Hoag) was closed, RESOLUTION ADOPTED, time: 8:55 P.M.

RESOLUTION NO. (1287-1987)

AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN BY REDISTRICTING THE PROPERTY DESCRIBED ON TAX MAP AS MAP 164, BLOCK A, LOT 3, FROM AN R-22 DISTRICT TO AN LIO DISTRICT - WALLACE HOAG AND JANET HOAG

Co. Lettre offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 10th day of November, 1987, provided for a public hearing on the 22nd day of December, 1987, at 8:05 P.M., to consider the application of WALLACE HOAG AND JANET HOAG, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner described on the Clarkstown Tax Map as Map 164, Block A, Lot 3, from an R-22 District to an LIO 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 December 3, 1987, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-22 District to an LIO District, which property is described on the Clarkstown Tax Map as Map 164, Block A, Lot 3, and is located in the Hamlet of Spring Valley, New York, in said Town, and be it

FURTHER RESOLVED, that the Town Board has determined to adopt this zone change by a majority plus one vote of the Board in contravention of the recommendation of the Rockland County Department of Planning because it believes that this zone change involves a very small parcel of land being changed to conform the

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RESOLUTION NO. (1287-1987) Continued

zoning on an existing one acre parcel to the abutting zone and, therefore, is an inconsequential change which will not adversely impact on any other zone changes which may be considered in the future, 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. Maloney

On roll call the vote was as follows:

- Co. Carey.....Yes
- Co. Lettre.....Yes
- Co. Maloney.....Yes
- Co. Smith.....Yes
- Supervisor Holbrook.....Yes

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Local Law (Flood Damage) was opened, time: 8:56 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Local Law (Flood Damage) was closed, RESERVE DECISION, time: 9:00 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Local Law 10-1987 (Youth Commission) was opened, time: 9:01 P.M.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Local Law No. 10-1987 (Youth Commission) was closed, RESOLUTION ADOPTED, time: 9:05 P.M.

RESOLUTION NO. (1288-1987)

ADOPTING LOCAL LAW NO.
10-1987 - AMENDMENT OF
SECTION 20-2 OF CHAPTER 20
(YOUTH COMMISSION)

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT OF SECTION 20-2 OF CHAPER 20 (YOUTH COMMISSION) TO CHANGE THE COMPOSITION OF THE YOUTH COMMISSION TO INCLUDE DESIGNEES OF THE SUPERINTENDENT OF RECREATION AND PARKS AND THE DIRECTOR OF THE CLARKSTOWN COUNSELING CENTER AS MEMBERS,"

was introduced by Councilman Maloney at a Town Board meeting held on the 24th day of November, 1987, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 24th day of November, 1987, directed that a public hearing be held on the 22nd day of December, 1987, at 8:25 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 7, 1987, and

RESOLUTION NO. (1288-1987) Continued

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 November 23, 1987, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 22, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 10-1987, entitled:

"AMENDMENT OF SECTION 20-2 OF CHAPTER 20 (YOUTH COMMISSION) TO CHANGE THE COMPOSITION OF THE YOUTH COMMISSION TO INCLUDE DESIGNEES OF THE SUPERINTENDENT OF RECREATION AND PARKS AND THE DIRECTOR OF THE CLARKSTOWN COUNSELING CENTER AS MEMBERS," 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. Carey

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Local Law No. 11-1987 (Building Fees) - Recessed from 12/8/87 was opened, time: 9:06 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Local Law No. 11-1987 (Building Fees) - Recessed from 12/8/87 was closed, RESOLUTION ADOPTED, time: 9:07 P.M.

RESOLUTION NO. (1289-1987)

ADOPTING LOCAL LAW NO. 11-1987 - AMENDMENT OF SECTION 29-7 OF CHAPTER 29 (BUILDING CONSTRUCTION ADMINISTRATION) TO INCREASE PERMIT AND OTHER FEES FOR MATTERS ADMINISTERED BY BUILDING DEPARTMENT

Co. Carey offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT OF SECTION 29-7 OF CHAPTER 29 (BUILDING CONSTRUCTION ADMINISTRATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO INCREASE PERMIT AND OTHER FEES FOR MATTERS ADMINISTERED BY THE BUILDING DEPARTMENT"

was introduced by Councilman Carey at a Town Board meeting held on the 24th day of November, 1987, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 24th day of November, 1987, directed that a public hearing be held on the 8th day of December, 1987, at 8:15 P.M., and

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RESOLUTION NO. (1289-1987) Continued

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 3, 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 November 19, 1987, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 8, 1987 and recessed to December 22, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 11-1987, entitled:

"AMENDMENT OF SECTION 29-7 OF CHAPTER 29 (BUILDING CONSTRUCTION ADMINISTRATION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO INCREASE PERMIT AND OTHER FEES FOR MATTERS ADMINISTERED BY THE BUILDING DEPARTMENT"

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
- 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 Lettre, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Local Law No. 12-1987 (Fire Inspector Fees) was opened, time: 9:08 P.M.

On motion of Councilman Carey, seconded by Councilman Lettre and unanimously adopted, the Public Hearing re: Local Law No. 12-1987 (Fire Inspector Fees) was closed, RESOLUTION ADOPTED, time: 9:09 P.M.

RESOLUTION NO. (1290-1987)

ADOPTING LOCAL LAW NO. 12-1987 AMENDMENT OF SECTION 47-11(E) OF CHAPTER 47 (FIRE PREVENTION TO INCREASE THE PERMIT AND OTHER ANNUAL FEES)

Co. Lettre offered the following resolution:

WHEREAS, a proposed local law entitled:

"AMENDMENT OF SECTION 47-11(E) OF CHAPTER 47 (FIRE PREVENTION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO INCREASE THE PERMIT AND OTHER ANNUAL FEES PAYABLE DURING THE MONTH OF JANUARY OF EACH YEAR FOR MATTERS ADMINISTERED BY THE FIRE INSPECTOR"

was introduced by Councilman Lettre at a Town Board meeting held on the 24th day of November, 1987, and

RESOLUTION NO. (1290-1987) Continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 24th day of November, 1987, directed that a public hearing be held on the 8th day of December, 1987, at 8:20 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on December 3, 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 November 24, 1987 and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on December 8, 1987 and recessed to December 22, 1987;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 12-1987, entitled:

"AMENDMENT OF SECTION 47-11(E) OF CHAPTER 47 (FIRE PREVENTION) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN TO INCREASE THE PERMIT AND OTHER ANNUAL FEES PAYABLE DURING THE MONTH OF JANUARY OF EACH YEAR FOR MATTERS ADMINISTERED BY THE FIRE INSPECTOR"

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. Carey

There being no further business to come before the Town Board and no one further wishing to be heard, Supervisor Holbrook declared Town Board Meeting closed, time: 9:10 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

ABE545

TOWN OF CLARKSTOWN
PUBLIC HEARING

125

Town Hall

12/22/87

8:50 P.M.

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

RE: ZONE CHANGE FROM R-22 TO LIO (HOAG)

On motion of Councilman Maloney, seconded by Councilwoman Smith 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.

Town Attorney said he had correspondence from RPP&W signed by the Town's Planning Consultant, Mr. Robert Geneslaw with respect to the SEQRA compliance and the correspondence indicates that the short environmental assessment form was completed and it was concluded that the area in question is 15,000 square feet and as a zone change this would not result in any significant adverse environmental impact and further processing of the SEQRA would not be required.

Town Attorney stated that there is a memo from the County of Rockland, Department of Planning dated November 25, 1987 which reports upon the referral to it of this proposal. He read:

"The County has reviewed the above item acting under the terms of the GML and hereby disapproves for the reason listed below:

"In as much as this area of the town is being considered for a comprehensive zone change, this parcel should be considered as part of that effort. This will help in avoiding piecemeal zone changes which tend to work against the integrity and effectiveness of the zoning ordinance.

William M. Chase,
Commissioner of Planning"

Town Attorney said the asterisk in the above memo states that the GML requires a vote of two-thirds of all the members, majority plus one, of your agency to act contrary to the above findings.

Supervisor asked if the applicant was present.

Appearance: Leonard Schwal, Esq.
New City, New York

Mr. Schwal stated that he was representing the applicants. He said the property is a one acre parcel on the south side of Smith Road adjacent to the Spring Valley Airport on one side and the Bihari Kennels on the other side. Two-thirds of the property is now in the LIO zone and one-third is in the R-22 zone. Both the properties on the east and west, that is the Airport property and the Bihari property are also in the LIO zone. One-third of the whole property is R-22 and two-thirds is LIO which is very strange we don't know how this ever came about. I hesitate to suggest that anybody making the map made a mistake but it just is not logical. Mr. and Mrs. Hoag reside at the premises and Mr. Hoag conducts an automobile repair business there and he specializes in repairing automobile radiators. He is the third owner of the property who has conducted such a business there. The first owner to conduct an automobile repair business was a Mr. Gorton who began the business in 1951. He later sold to the Hoag predecessor in title and the Hoag's bought the property fifteen years ago and they have conducted the business at that location since that time. It just is not logical to have one property in two zones and what we seek to do here is to have the entire one acre parcel in one zone and legitimize what's been going on there for over thirty-five years.

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Supervisor Holbrook said then it is your request that it be put in the LIO zone.

Mr. Schwal said that is correct.

Supervisor Holbrook asked if there was anyone present who had any comments regarding this proposed zone change.

No one appeared.

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

Respectfully submitted,


PATRICIA SHERIDAN
Town Clerk

Resolution No. (1287-1987) Adopted

TOWN OF CLARKSTOWN
PUBLIC HEARING

127

Town Hall

12/22/87

8:56 P.M.

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

RE: LOCAL LAW - FLOOD DAMAGE

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.

The Town Attorney said that that this local law was suggested for adoption as a result of the Town's participation in the Flood Insurance program as drafted in accordance with the form provided by FEMA, the Federal Emergency Management Authority and we have correspondence from the Department of Environmental Control concerning the SEQRA requirements as follows:

*December 17, 1987

Town Board
Town of Clarkstown
10 Maple Avenue
New Citi, New York 10956

Re: Local Law for Flood Damage Prevention - Total Town

Dear Members:

This is to inform you that we have prepared the Short Environmental Assessment Form and under the provisions of Title 6 NYCRR Section 617.6, the Town Board has agreed to coordinate the review of the involved agencies. As staff for the Town Board, we concur with the initial opinion indicated on the second page of the Short Environmental Assessment Form and will distribute to all agencies listed below.

If within thirty calendar days from the date of this letter no involved agency copied below, submits a written objection to the Clarkstown Town Board being lead agency, the Town Board will be the lead agency will carry out the provision of the State Environmental Quality Review Act.

Very truly yours,

(s) LESLIE F. BOLLMAN
Staff for the Clarkstown
Town Board

CC: Building Inspector
Town Planning Consultant
R. C. Soil and Water Conservation
Planning Board
Board of Appeals
R. C. Planning Board
R. C. S. D. #1
R. C. Drainage Agency
New York State Dept. of Transportation
New York State Dept. of Environmental Conservation
New York State Thoroughway Authority
Palisades Interstate Park Commission
Town Attorney
Army Corps of Engineers"

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The Town Attorney said that the Short Environmental Assessment Form concludes that the proposed action, the adoption of this revised local law, will not result in any significant adverse environmental impacts and it is signed also by Leslie F. Bollman, P.E.

Supervisor asked if there was anything else.

The Town Attorney said that he should point out that the SEQRA time frame will not expire on this particular proposed action until January 16, 1988. The local law itself does not contain much in the way of policy decisions on the part of the Town Board except that the Town Board has shifted the responsibility for implementation of this regulation from the Building Inspector to the Department of Environmental Control and that was reviewed and recommended by the Director of the Department of Environmental Control.

Supervisor Holbrook asked if there was anyone present who had any comments regarding this proposed local law.

No one appeared.

There being no one wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the public hearing was declared closed, DECISION RESERVED to January 26, 1987, time: 9:00 P. M.

Respectfully submitted

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

124

Town Hall

12/22/87

9:01 P.M.

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

RE: LOCAL LAW NO 10 (YOUTH COMMISSION)

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.

The Town Attorney said they have correspondence which initiated this proposed local law as follows:

*From : Edward J. Ghiazza, Supt. of Recreation and Parks
To : Charles E. Holbrook, Supervisor and Town Board
Subject : Youth Commission Membership
(Town Board Workshop - November 19, 1987)

The Clarkstown Youth Commission is currently made up of a member of a Juvenile Aid Bureau, The Superintendent of Recreation and Parks, the Director of the Clarkstown Counseling Center, a teen-age resident, and an adult resident.

I am requesting and the Youth Commission members agree that the language be changed to read:

The Superintendent of Recreation and Parks or Designee
and

Director of the Counseling Center or Designee.

This change would allow the Parks Board and Recreation Commission and Counseling Center to have staff directly involved with youth to represent their departments.

I would recommend whatever needs to be done to revise Local Law be implemented as soon as possible.

(s) Edward J. Ghiazza

EJG:eg
Enclosure (1)
cc: John Costa, Town Attorney
Thomas Manning, Chairman Youth Commission"

The Town Attorney said that as a result of that recommendation before the Board is a revised Section 20-2 which deals with the membership of the Youth Commission and the revision would allow the individuals indicated to designate someone to serve on the commission.

Supervisor Holbrook asked if there was anyone present who had any comments regarding this proposed local law.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:05 P.M.

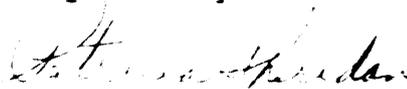
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Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (1288--1987) Adopted

TOWN OF CLARKSTOWN
PUBLIC HEARING

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Town Hall

12/22/87

9:06 P.M.

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

RE: LOCAL LAW NO. 11-1987 (BUILDING CONSTRUCTION ADMINISTRATION)

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. The purpose of this meeting is Amendment of Section 29-7 of Chapter 29 (Building Construction Administration) of the Town Code of the Town of Clarkstown to increase permit and other fees for matters administered by the Building Department. The Town Attorney said the Town Board recessed the Public Hearing to tonight on this local law and asked that the local law be revised. The substance of what we are doing here is to allow the Town Board by resolution to establish the fees as the Landfill has done.

Supervisor Holbrook asked if there was anyone present who had any comments regarding this proposed local law.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:07 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (1289-1987) Adopted

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TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/22/87

9:08 P.M.

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

RE: Adopting Local Law No. 12-1987 (FIRE PREVENTION)

On motion of Councilman Carey, seconded by Councilman Lettre and unanimously adopted, the public hearing was declared open. The purpose of this meeting is Amendment of Section 47-11(E) of Chapter 47 (Fire Prevention) of the Town Code of the Town of Clarkstown to increase the permit and other annual fees payable during the month of January of each year for matters administered by the Fire Inspector. The Town Attorney said the Town Board had recessed the Public Hearing to tonight on this local law and asked that the local law be revised. The substance of what we are doing here is to allow the Town Board by resolution to establish the fees as the Landfill has done.

Supervisor Holbrook asked if there was anyone present who had any comments regarding this local law.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Lettre, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 9:09 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (1290-1987) Adopted

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