

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/8/88

8:00 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis (left at 9:44 P.M. -
returned at 10:04 P.M.), Maloney, Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor stated that the first order of business would be the graduation of the twelfth class of the Clarkstown Youth Court. Supervisor stated that there is a tremendous interest in the law by our young people and the fact that so many of them are willing to take the time to study in this regard is testimony to that fact. He said this has led to law courses being instituted in our high schools. He introduced Detective Christopher Goodyear, who is in charge of this program.

Detective Goodyear thanked the Supervisor and introduced Chief William Collins, Mrs. Patricia Barad, secretary to the Youth Court and Mr. Anthony Schiaro, who is the Chairman of the Steering Committee. Detective Goodyear gave a brief history of the program and presented the twenty members who were being graduated tonight.

Chief Collins conveyed his congratulations to the graduates and their families. He stated that when he sees young people with this kind of dedication he feels our future is secure. He welcomed them to the family of the criminal justice system.

Supervisor said on behalf of the Clarkstown Town Board he congratulated the graduates, Detective Goodyear, Chief Collins, Mr. Schiaro and all associated with the Clarkstown Youth Court. He said this was a program initiated by his predecessor and it is certainly a worthwhile and valuable asset to this Town. He said as long as he is Supervisor and the present members of the Town Board are here, this program will continue to thrive in the Town of Clarkstown.

Supervisor declared the Public Portion of the meeting open.

Appearance: Mr. Orrin Getz
Carlisle Court
New City, New York 10956

Mr. Getz spoke regarding the withdrawal of Rockland County from the MTA and stated that this would have a profound and positive effect on the Town of Clarkstown particularly in the area of taxes. By utilizing this tax money we can have a secure form of funding for mass transit projects in the county. He cited examples, particularly the mini-trans system and commuter parking. He said the County Executive has a very difficult task and probably he would like to take an easier alternative. He urged the Town Board to adopt a memorializing resolution pushing the County Executive to continue with the process of withdrawal from the MTA.

Appearance: Mrs. Debbie Gianello, Co-President
West Nyack PTA

Mrs. Gianello said they had taken a vote today of the Executive Committee of the West Nyack PTA and they have unanimously opposed the purchase of the Champion Building due to their concerns with the health, safety and welfare of their children.

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Appearance: Ms. Pat. Halo, President.
New City Chamber of Commerce

Ms. Halo said she was in opposition to the County's purchase of the Champion Building. She read a statement in opposition to said purchase and said there were many unanswered questions.

Appearance: Mrs. Ann Henry, Co-President.
West. Nyack PTA

Mrs. Henry said that she was opposed to the purchase of the Champion Building and said since Rockland Corporate Park had been built they have had their water tested three times and there is an increase in the lead level in their water.

The PTA was not informed about the building of Rockland Corporate Park and she does not want that to happen regarding the Champion Building. They want to work with the Town Board this time as they are very concerned about what is put on West. Nyack Road. The PTA was interested in the twenty acres across the street that might be used for the Highway Department.

Councilman Kunis asked if the PTA had indicated there was a safety factor involved if the County moves there? Mrs. Henry said not necessarily the County but their concern was if a truck garage is built across the road from the Champion Building. Councilman Kunis said then if there was the Champion Building and no truck garage you would feel better about it? Mrs. Henry said if they had guarantees of that. Councilman Kunis asked Mrs. Henry if she was aware that all that area is zoned for office use and there will be large office buildings there? She said she was but again their main concern was if a highway garage was built there for the County Highway Department.

Councilman Maloney said did he understand correctly that they were not so much opposed to the Champion Building as to the garage across the street? She said that was the majority feeling.

Appearance: Mr. Alan Brenner
Southern Clarkstown Civic Association
West. Nyack, New York 10994

Mr. Brenner spoke regarding Item 25 (referral of the Clinton Square Plaza, Inc. (Pyramid) zone change) and said that he felt the Town Board should wait for the results of the testing to come back before referring the petition to the Planning Boards.

Mr. Brenner said yesterday the legislature passed a law called the toxic ash law which would require toxic ash to be removed from incinerators to be treated in a special and separate landfill apart from the one we have now. He asked if the Town Board was aware of the fact that we will now have to have a separate landfill for such purpose? He said there was an article in the Journal News tonight talking about the DEC warning and advising the County Waste Committee that because of the fact that there are only two choices for incinerator sites they feel that particular issue will not do well in court. If we go locally in Clarkstown and each town decides to handle their waste and garbage separately would that mean that the Town of Clarkstown would have to offer alternate sites other than the one we have now?

Supervisor Holbrook said if each town were to go it alone they would have to go through the process of offering alternate site selection. With regard to the toxic ash he said even without that law it should be treated as hazardous waste and would require the construction of a separate landfill. The County's position on that has been that would have to be the case. It would

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have to be a separate landfill and not be able to be buried in a landfill such as the one in West Nyack. Mr. Manna from the DEC indicated that with regard to the additional sites if the County were to proceed with the environmental studies it would have to be expanded to sites other than the two indicated so as to meet legal requirements.

Appearance: Mr. John Lodico
2 Birch Lane
New City, New York 10956

Mr. Lodico spoke regarding the Champion Building. He said he was opposed to moving County government out of New City. He also urged the Board to get the Pyramid project started.

Appearance: Mr. John Cuff.
West Nyack, New York

Mr. Cuff spoke regarding Item 25 (Clinton Square zone change) and said the Town Board should move forward with the Pyramid Mall and thus send a message to investors that Clarkstown is serious about attracting businesses. He said maybe if we had done this two years ago we would not be talking about the Champion Building tonight.

Appearance: Ms. Rosemary Seery, Secretary
Flitt Street
Southern Clarkstown Civic Association
West Nyack, New York

She spoke regarding Item 25 (Clinton Square zone change) and stated that she was in opposition to having it referred out.

Mrs. Seery also spoke regarding the RAI A property and urged the Board to approve Item No. 37.

Mrs. Seery also spoke regarding Item No. 38 (purchase of the Champion Building for County offices) and stated they were in opposition to the relocation of the County government.

Appearance: Mr. Steve Goldman
Organized Taxpayers Association

Mr. Goldman spoke regarding the purchase of the Champion Building and stated it was a much better option than putting a fourth floor on the County Office Building. He said there should not be a garage there. Mr. Goldman also spoke regarding the Clinton Square zone change proposal and stated he was in favor of the referral.

RESOLUTION NO. (212-1988)

RESCINDING RESOLUTION NO.
(189-1988) AND AUTHORIZING
DIRECTOR OF PURCHASING TO
EXPEDITIOUSLY RECEIVE
COMPETITIVE PROPOSALS AND
SECURE THE REQUIRED ENGINE
FOR CLARKSTOWN HIGHWAY
DEPARTMENT SNOWPLOW

Co. Maloney offered the following resolution:

WHEREAS, a truck used by the Clarkstown Highway Department which is used for snow plowing purposes is in need of a new engine, and

WHEREAS, an emergency situation would exist if this truck is not restored to such service as soon as possible,

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ABF478

RESOLUTION NO. (212-1988) Continued

NOW, THEREFORE, be it.

RESOLVED, that Resolution No. 189-1988 is hereby rescinded and that the Director of Purchasing is hereby authorized to expeditiously receive competitive proposals and secure the required engine for the vehicle in question.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (213-1988)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
VISIGRAPHICS, INC. - CHARGE
TO CAPITAL ACCOUNT NO. H
8160-01-409

Co. Carey offered the following resolution:

WHEREAS, Joseph A. Carleo, President of Visigraphics, Inc., has presented a proposal to the Town Board, attached as Schedule "A," to prepare a video tape with respect to Waste Management and Recycling in the Town of Clarkstown;

NOW, THEREFORE, be it.

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Visigraphics, Inc., for the preparation of a video tape with respect to Waste Management and Recycling in the Town of Clarkstown, and be it.

FURTHER RESOLVED, that the cost of the video tape shall not exceed the sum of \$5,100.00, and shall be charged to Capital Account No. H-8160-01-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (214-1988)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL ONE
WAY, NO LEFT TURN AND NO
RIGHT TURN SIGNS (VARIOUS
LOCATIONS)

Co. Maloney offered the following resolution:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated February 11, 1988 has recommended ONE WAY, NO LEFT TURN and NO RIGHT TURN signs be installed and/or upgraded as listed below,

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RESOLUTION NO. (214-1988) Continued

NOW, THEREFORE, be it.

RESOLVED, that Anthony D'Antoni, Superintendent of Highways is hereby directed to install the following:

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
WB So. Mt. Rd. at Scratchup Rd., New City (SW corner)	NO LEFT TURN	R3-1C
NB So. Mt. Rd. at Scratchup Rd., New City (SE corner)	NO RIGHT TURN	R3-2C
EB Waldberg Ave. at Grant Ave., Congers (NW corner)	ONE WAY	R3-11C
WB Waldberg Ave. at Grant Ave., Congers (NW corner)	ONE WAY	R3-10C
EB Waldberg Ave. at Grant Ave., Congers (NE corner)	ONE WAY	R3-11C
WB Waldberg Ave. at Grant Ave., Congers (NE corner)	ONE WAY	R3-10C
SB Ivy La. at school drive, New City (west side)	NO LEFT TURN	R3-1C
SB Ivy La. at school drive, New City (SE corner)	NO LEFT TURN	R3-1C
WB school drive at Ivy La., New City (NE corner)	NO LEFT TURN	R3-1C
WB school drive at Ivy La., New City (west side)	NO LEFT TURN	R3-1C

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (215-1988)

DIRECTING SUPERINTENDENT OF HIGHWAYS TO INSTALL HIDDEN DRIVEWAYS SIGN (VICINITY OF 267 SOUTH MOUNTAIN ROAD, NEW CITY)

Co. Maloney offered the following resolution:

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ABF 478

RESOLUTION NO. (215-1988) Continued

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated February 17, 1988 has recommended the installation of a HIDDEN DRIVEWAYS sign in the immediate vicinity of 267 South Mountain Road, New City,

NOW, THEREFORE, be it

RESOLVED, that Anthony D'Antoni, Supt. of Highways is hereby directed to install the following:

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
EB South Mountain Rd 200 feet east of 267 South Mountain Road, New City	(INTERSECTIONS	W2-2C
	DRIVEWAYS	W5-16
	(Note: Refer to recommendation for exact configuration of W2-2C	

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (216-1988)

DIRECTING ANTHONY D'ANTONI,
SUPT. OF HIGHWAYS TO OBTAIN
DIRECTIONAL ROUTE MARKER
ASSEMBLIES FOR ROUTE 59

Co. Maloney offered the following resolutions:

WHEREAS, Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant in a report dated February 17, 1988 has recommended the installation of directional route marker assemblies for Route 59 on West Nyack Road at Crosfield Avenue, West Nyack,

NOW, THEREFORE, be it

RESOLVED, that Anthony D'Antoni, Supt. of Highways is hereby directed to obtain said directional route marker assemblies for Route 59 from the New York State Department of Transportation Residency Office, and install as follows:

SIGNS

<u>Location</u>	<u>Legend</u>	<u>NYS Sign #</u>
WB West Nyack Rd. at Crosfield Ave., West Nyack	TO	M13-21X
	Route 59	M3-1X
		M13-41X
EB West Nyack Rd. at Crosfield Ave., West Nyack	TO	M13-21X
	Route 59	M3-1X
		M13-42

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (216-1988) Continued

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

RESOLUTION NO. (217-1988)

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH HOWARD L. LAMPERT, TRAFFIC ENGINEERING CONSULTANT, ON A RETAINER BASIS, TO PROVIDE SERVICES TO THE TOWN OF CLARKSTOWN AND CHARGED TO ACCOUNT NO. A-3320-409

Co. Smith offered the following resolution:

WHEREAS, HOWARD L. LAMPERT, Traffic Engineering Consultant, has submitted a proposal dated January 20, 1988 to provide traffic engineering and consulting services to the Town of Clarkstown on an on-going retainer basis at the rate of \$65.00 per hour, and

WHEREAS, it is necessary for the Traffic and Traffic Fire Safety Advisory Board to have input with respect to recommendations by Howard L. Lampert, on traffic matters and traffic control devices in the Town of Clarkstown, and be it

WHEREAS, the Town Board deems it in the interest of public safety to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with Howard L. Lampert, to provide traffic engineering and consulting services to the Town of Clarkstown on a retainer basis to be paid at the rate of \$65.00 per hour for a period of one (1) year, provided that the agreement may be terminated on thirty (30) days notice by the Town, and be it

FURTHER RESOLVED, that the Traffic and Traffic Fire Safety Advisory Board shall be contacted by Howard L. Lampert, for its input with respect to his recommendations on traffic matters and traffic control devices in the Town of Clarkstown, and be it

FURTHER RESOLVED, that said sum shall be charged to Account No. A-3320-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION No. (218-1988)

ACCEPTING TOWN BOARD MINUTES OF FEBRUARY 9, 1988 AND FEBRUARY 23, 1988

Co. Smith offered the following resolution:

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RESOLUTION NO. (218-1988) Continued

RESOLVED, that the minutes of the Town Board Meetings of February 9, 1988 and February 23, 1988 submitted by the Town Clerk are hereby adopted and accepted.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (219-1988)

AUTHORIZING PAYMENT FOR
DAMAGES DENISE C. HELFAND,
SPRING VALLEY

Co. Maloney offered the following resolution:

RESOLVED, that Denise Helfand, 21 Ellen Street, Spring Valley, New York, be reimbursed the cost of \$45 for damage done to her home.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (220-1988)

REFERRING AMENDMENT TO THE
ZONING ORDINANCE TO THE
CLARKSTOWN PLANNING BOARD
AND THE ROCKLAND COUNTY
PLANNING BOARD

Co. Carey offered the following resolution:

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

WHEREAS, the Town Board of the Town of Clarkstown is considering to further amend to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their recommendation and report, and be it

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

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RESOLUTION NO. (220-1988) Continued

Amend §106-3(B). Defined words - to add the following:

"Hot Tub or Spa: A shallow pool containing heated water and/or a means to circulate water or air within the pool, which is not used for swimming."

Amend §106-20(B) to add Item 10 as follows:

"(10) Hot tubs, spas and similar facilities. Hot tubs, spas and similar facilities are permitted in required rear yards, provided they are not closer than ten (10) feet to any side or rear lot line, and are screened from view.

Hot tubs on a deck which is more than four (4) feet above ground level shall not be closer than fifteen (15) feet to any side or rear lot line."

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (221-1988)

AUTHORIZING THE SUPERVISOR
TO ENTER INTO A LICENSE
AGREEMENT WITH THE
KINGSGATE CONDOMINIUM
ASSOCIATION

Co. Carey offered the following resolution:

WHEREAS, the Kingsgate Condominium Association wishes to erect a sign at the entrance to Kingsgate Parkway at its intersection with Smith Road, Nanuet, New York, which is located on Town property;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a license agreement with the the Kingsgate Condominium Association, in a form approved by the Town Attorney, with the provision for a revocation of the license agreement by the Town of Clarkstown at its sole discretion, and be it

FURTHER RESOLVED, that the Town shall receive \$300.00 per year for the use of Town property for the erection and maintenance of said sign by the Kingsgate Condominium Association, and be it

FURTHER RESOLVED, that the Kingsgate Condominium Association shall have the sole responsibility for the construction and maintenance of this sign, and be it

FURTHER RESOLVED, that any permits required by the Code of the Town of Clarkstown must be obtained prior to the erection of said sign.

Seconded by Co. Kunis

On roll call the vote was as follows:

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ABF478

RESOLUTION NO. (221-1988) Continued

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

RESOLUTION NO. (222-1988)

AUTHORIZING TOWN LAW
280-a(4) MARIANNE HILL
SUBDIVISION, VALLEY COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law, the Town Board hereby established "an Open Development Area" for the property situate on the south side of Rockland Lake, Valley Cottage, New York, more specifically designated on the Clarkstown Tax Map as Map 123, Block A, Lots 5 and 6, which property may be subdivided as a result of the application of Josef Hill, presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any Building Permit the following conditions shall be met by the owner:

1. The "Open Development Area" shall consist of the area as shown on a proposed subdivision map entitled, "Subdivision of Marianne Hill," Town of Clarkstown, Rockland County, New York, dated October 15, 1986, drawn by Jack Boswell & Associates, Engineers, Land Planner, Surveyor, New City, New York, as Project No. 8616 for which Building Permits or Certificates of Occupancy may be issued.

2. A Declaration of Restrictive Covenants which shall run with the land, in a form acceptable to the Town Attorney, shall be recorded in the Rockland County Clerk's Office prior to the issuance of any Building Permit, which declaration shall contain the following declaration and covenants:

A. That the property owner acknowledges that access to the nearest public road has been obtained by private easement or right-of-way and that the property owner(s) shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other similar services provided to residents of the Town of Clarkstown whose properties front on a public road;

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

C. That the fee ownership of the easement or right-of-way up to the westerly line of said easement or right-of-way shall be vested in the abutting lot owners;

D. That the Declaration shall contain provisions for reciprocal easement and maintenance agreement to provide for regular maintenance, repair, snow plowing and other necessary services on the right-of-way or easement by the owners and sharing of the cost of same on an equitable basis.

E. That the Certificate of Occupancy issued for any premises shall be conditioned upon observance and subject to the Declaration of Covenants herein required.

F. That in the event the property owner at any time in the future shall request establishment of a road improvement.

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RESOLUTION NO. (222-1988) Continued

district or otherwise seek to dedicate the private right-of-way or easement as a public street, the owner(s) shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown any interest of the property owner in the easement or right-of-way and any property adjacent thereto to accomplish the widening of the easement or right-of-way to the then existing standards for public roads, and said owner(s) shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed in accordance with the provisions of Town Law.

3. That the applicant shall return to the Planning Board for subdivision review and approval, and that any subdivision map approved by the Planning Board shall contain a map note referring to the resolution establishing the "Open Development Area" by date and number, which map note shall also state that the issuance of Building Permits and Certificates of Occupancy are subject to the Declaration of Coveants herein required.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (223-1988)

REFERRING PROPOSED
ABANDONMENT OF A PORTION OF
TERRACE AVENUE, CONGERS, TO
THE TOWN AND COUNTY
PLANNING BOARDS

Co. Maloney offered the following resolution:

WHEREAS, a request has been made by Barry Goldberg and Linda Goldberg to abandon that portion of a right-of-way known as Terrace Avenue, located between the northerly side of Quaspeak Road and the southerly side of Jolliffe Street, as shown on the Clarkstown Tax Map as Map 139, upon the grounds that same has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portion of Terrace Avenue as described above;

NOW, THEREFORE, be it

RESOLVED, that a copy of this resolution be referred to the the Clarkstown Planning Board and Rockland County Planning Board for its report and recommendation, if any, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board

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RESOLUTION NO. (223-1988) Continued

determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (224-1988)

AUTHORIZING THE SUPERVISOR
TO ENTER INTO AN AGREEMENT
WITH THE TOWN OF RAMAPO

Co. Carey offered the following resolution:

WHEREAS, by Resolution No. 177 adopted on February 9, 1988, the Town Board of the Town of Clarkstown authorized the Clarkstown Sanitary Landfill to continue to receive from the Town of Ramapo solid waste at the rate of \$20.00 per ton, plus 1/2 ton of acceptable cover material per ton of solid waste up to a total of 600 tons per week, and in addition thereto any additional solid waste in excess of 600 tons per week from the Town of Ramapo processed at the baling station shall be accepted but shall be charged at the rate of \$27.00 per ton, plus 1/2 ton of acceptable cover material per ton of solid waste, and

WHEREAS, the said resolution was passed after the budgetary period for the Town of Ramapo which takes place in October-November of each year, and

WHEREAS, it is contemplated that the Town of Ramapo shall have a deficit in the amount of \$187,000.00 for the year 1988 over the amount budgeted for refuse to be deposited in the Clarkstown Sanitary Landfill, and

WHEREAS, the Town of Ramapo has requested that the Town of Clarkstown enter into a written agreement by which the said \$187,000.00 shall be paid in two installments in the year 1989;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the Town of Ramapo for the payment of said sum of \$187,000.00 in two payments as follows:

- A. \$100,000.00 to be paid on or before January 31, 1989.
- B. \$87,000.00 to be paid on or before March 15, 1989, and be it

FURTHER RESOLVED, that said agreement shall be in a form satisfactory to the Town Attorney of the Town of Clarkstown.

Seconded by Co. Kunis

Co. Kunis asked if interest was included in this rate?

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RESOLUTION NO. (224-1988) Continued

The Town Attorney said "no." There is a question if you can charge interest, however, we will have another budgetary go-around in October and the Town can consider that in fixing the new rates.

Co. Maloney said he was voting "no" because he felt that we should accept the money in the year 1988 as we indicated we should rather than wait until 1989.

On roll call the vote was as follows:

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

ABF478

RESOLUTION NO. (225-1988)

AUTHORIZING FEES FOR A DRAINAGE PROJECT - ELINOR PLACE - DECREASING ACCOUNT NO. H 8730-25U (UNDESIGNATED FUNDS) AND INCREASE APPROPRIATION ACCOUNT NO. H 8730-25P87-02-409

Co. Maloney offered the following resolution:

WHEREAS, Town Board Resolution No. 806-1987 authorized \$5,000 for a drainage project on Elinor Place, New City, New York and

WHEREAS, the project will cost \$6,928.42, and be it

THEREFORE RESOLVED, to decrease Account No. H 8730-25U (Undesignated Funds) and increase Appropriation Account No. H 8730-25P87-02-409 (Elinor Place - Fees for Services) by \$1,928.48.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (226-1988)

DECREASING CONTINGENCY ACCOUNT NO. A 1990-505 and INCREASING APPROPRIATION ACCOUNT NO. A 8160-421 (LANDFILL FIRE) BY \$100,000.

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 8160-421 (Landfill Fire) by \$100,000.

Seconded by Co. Smith

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RESOLUTION NO. (226-1988) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (227-1988)

AUTHORIZING TEN HOEVE BROS,
INC. TO TEST UNDERGROUND
TANK STORAGE - DECREASING
CONTINGENCY ACCOUNT
#A-1990-505 AND MAINTENANCE
ACCOUNT #A-1620-409 AND
THAT THE CHARGE FOR TANK
TESTING SERVICES BE
APPROPRIATED FROM ACCOUNT
#A-1620-409

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is mandated to perform
a testing of the fuel tanks on Town property, and

WHEREAS, Ten Hoeve Bros., Inc., 359 McLean Blvd.,
Paterson, New Jersey, has proposed to perform the appropriate fuel
tank testings at a cost not to exceed \$2,600., and

WHEREAS, such cost does not include any required fuel
to be purchased for the filling of these tanks,

NOW, THEREFORE, be it

RESOLVED, that Ten Hoeve Bros., Inc. will perform such
services for the Town of Clarkstown in coordination with the Town's
Safety Officer and the Rockland County Dept. of Health, and be it

FURTHER RESOLVED, contingency account #A-1990-505 be
decreased by \$2,600.00

AND that Maintenance account #A-1620-409 be increased
by the amount of \$2,600.00,

FURTHER RESOLVED, that the charge for tank testing
services up to \$2,600.00 be appropriated from Account #A-1620-409.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (228-1988)

REFERRING AMENDMENT TO THE
ZONING ORDINANCE CONCERNING
SIGHT DISTANCE REGULATIONS
TO THE CLARKSTOWN PLANNING
BOARD AND ROCKLAND COUNTY
PLANNING BOARD

RESOLUTION NO. (228-1988) Continued

Co. Maloney offered the following resolution:

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

WHEREAS, the Town Board of the Town of Clarkstown is considering to further amend to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Planning Board for their recommendation and report, and be it

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

Amend §91-9. Traffic hazards at street corners to read as follows:

"a. Sight Distance at Intersection of State Highways, County Roads, and Designated Town Roads:

No shrubbery, hedge or other natural growth, fence or wall, the top of which is three (3) feet or more above the edge of the pavement of the road shall be located within the cross-hatched area shown in Sketch "A," nor shall the limbs or foliage of any tree be permitted to grow nearer to the ground than eight (8) feet over the cross-hatched area shown in Sketch "A," at any intersection on State highways, County roads or on Town roads listed below:

- | | |
|----------------------------|----------------------|
| Bardonia Road | Mountainview Avenue |
| Blauvelt Road | Old Haverstraw Road |
| Brewery Road | Old Mill Road |
| Casper Hill Road | Parrott Road |
| Christian Herald Road | Pascack Road |
| Church Street | Phillips Hill Road |
| College Avenue | Red Hill Road |
| Germonds Road | Snake Hill Road |
| Kings Highway (V.C.) | South Mountain Road |
| Lake Road (Valley Cottage) | West Clarkstown Road |
| Ludvigh Road | West Nyack Road |
| Main Street (New City)" | |

"b. Sight Distance at Intersections on Non-Designated Town Roads:

No shrubbery, hedge or other natural growth, fence or wall over three (3) feet higher than the edge of the pavement of the road shall be located within the cross-hatched areas shown in Sketch "B," nor shall the limbs or foliage of any tree be permitted to grow nearer to the ground than eight (8) feet over the cross-hatched area shown in Sketch "B," at the intersection of two Town roads except for the Town roads designated in Subsection 'a'."

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RESOLUTION NO. (228-1988) Continued

"c. Sight Distance Around Curves:
No shrubbery, hedge or other natural growth, fence or wall over three (3) feet higher than the edge of the pavement of the road shall be located within the cross-hatched area shown in Sketch "C," nor shall the limbs or foliage of any tree be permitted to grow nearer to the ground than eight (8) feet over the cross-hatched area shown in Sketch "C," along any curve on any road in the Town."

"d. Notification:
Upon written notification of a violation of Section 91-9, Subsection a, b or c above, the owner, tenant, and/or occupant in charge of premises where the violation is occurring shall trim, prune, or if necessary, remove the offending shrubbery, hedges, tree limbs, foliage, or other natural growth, fence or wall upon such part of the premises as specified in said notice within fifteen (15) days from the date of receipt of the notice. The failure to maintain sight distance on a property as required by this Section shall be deemed an offense.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (229-1988)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS, HIGHWAY
MAINTENANCE SUPERVISOR III
TO ATTEND THE 28TH ANNUAL
NORTH AMERICAN SNOW
CONFERENCE AND CHARGING IT
TO A 1010-414

Co. Carey offered the following resolution:

RESOLVED, that Anthony D'Antoni, Superintendent of Highways, and Charles Burgio, Highway Maintenance Supervisor III, are hereby authorized to attend the 28th Annual North American Snow Conference, April 10 through April 13, 1988, Des Moines, Iowa, and be it.

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (230-1988)

AMENDING RESOLUTION NO.
1061, ADOPTED BY THE TOWN
BOARD OCTOBER 27, 1987 AND
AUTHORIZING THE SUPERVISOR
TO ENTER INTO AN AGREEMENT
WITH THE COUNTY OF ROCKLAND
FOR STREAM MAINTENANCE

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 1061, adopted by the Town Board on October 27, 1987, is hereby amended to read as follows:

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the County of Rockland for stream maintenance;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement with the County of Rockland in a form satisfactory to the Town Attorney and which shall provide that the Town of Clarkstown shall receive the sum of \$36,000.00, which sum shall be utilized by the Town no later than December 31, 1988, and be it.

FURTHER RESOLVED, that this resolution shall be retroactive to February 24, 1988.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (231-1988)

AUTHORIZING SUPT. OF
HIGHWAYS TO INSTALL "SCHOOL
BUS STOP AHEAD" SIGN

Co. Maloney offered the following resolution:

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

A "School Bus Stop Ahead" sign on the southside of New Hemptstead Rd. 50 ft. East of Homestead Lane, New City, and be it.

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, Anthony D'Antoni, for implementation.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (232-1988)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
"STOP SIGN AHEAD" AT
INTERSECTION OF CONKLIN AND
BUENA VISTA ROADS

Co. Maloney offered the following resolution:

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

A "Stop Sign Ahead" approximately 170 ft. West of
intersection of Conklin and Buena Vista Roads, (per the NYS COT
MUTCD) NEW CITY, N.Y.

A Stop sign installed on the Northwest corner of the
island at the intersection of Conklin and Buena Vista Roads. Also
painted lane separation lines on Conklin Road on both sides of the
island leading to Buena Vista Road. These lines to extend the
length of the island, and be it.

FURTHER RESOLVED, that the Town Clerk be directed to
forward copies of this resolution to the Superintendent of Highways,
Anthony D'Antoni, for implementation.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (233-1988)

AMENDING RESOLUTION NO.
1208, ADOPTED BY THE TOWN
BOARD ON NOVEMBER 24, 1987
AND AUTHORIZING THE
SUPERVISOR TO ENTER INTO AN
AGREEMENT REGARDING
CONSTRUCTION OF RECYCLING
CENTER - CHARGE TO ACCOUNT
NO. H-8160-01-409

Co. Carey offered the following resolution:

RESOLVED, that Resolution No. 1208, adopted by the Town
Board on November 24, 1987, is hereby amended to change the fee to
\$109,700.00 for the engineering services necessary for the design,
bidding and construction services required for the construction of a
recycling center as set forth in the proposal from Charles R Velzy
dated November 20, 1987, and be it.

FURTHER RESOLVED, that the appropriation made herein
shall be charged to Account No. H-8160-01-409, which shall become a
District charge upon approval of the Town of Clarkstown Refuse and
Garbage District as authorized by the Town Board on November 10,
1987.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (233-1988) Continued

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

RESOLUTION NO. (234-1988)

AUTHORIZING ATTENDANCE AT
COURSE ON ZONING TO BE HELD
BY WESTCHESTER MUNICIPAL
PLANNING FEDERATION
(MEMBERS OF ZONING BOARD OF
APPEALS)

Co. Maloney offered the following resolution:

RESOLVED, that the members of the Board of Appeals are authorized to attend the Course on Zoning to be held by the Westchester Municipal Planning Federation, 432 Michaelian Office Building, White Plains, New York 10601 to be held on March 23, 24, 30 and 31, 1988, and be it.

FURTHER RESOLVED, that the registration fees and traveling expenses be a Town charge.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (235-1988)

GRANTING AWARDS BY
CLARKSTOWN DRUG ABUSE
PREVENTION COUNCIL AND THAT
APPROPRIATIONS PROVIDED
SHALL BE CHARGED TO ACCOUNT
NO. A-8840-424

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Drug Abuse Prevention Council has determined that the following non-profit organizations are eligible to receive grant funding to provide a program seeking to combat substance abuse problems and educating youth in the Town of Clarkstown to avoid such problems, and

WHEREAS, the Drug Abuse Prevention Council has recommended the amount for the grant awards to be made;

NOW THEREFORE, be it

RESOLVED, that the following organizations are hereby awarded a \$500 grant pursuant to Town Board resolution #173; and

RESOLVED, that grant recipients are required to acknowledge in their program literature that funding was provided by the Clarkstown Town Board under the sponsorship of the Clarkstown Drug Abuse Prevention Council.

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RESOLUTION NO. (235-1988) Continued

<u>ORGANIZATION</u>	<u>PROJECT DIRECTOR</u>
Woodglen Elementary School PTA	Margalit. Pashayan
Clarkstown High School North PTSA	Jeffrey Sheering
Clarkstown Awareness Network for a Drug Free Life and Environment. (CANDLE)	Eileen Browning
Clarkstown Senior High Schools North and South - Peer Counselor Group	Nellie Donnelly and Jim Maloney

FURTHER RESOLVED, that the appropriations provided for herein shall be charged to Account No. A8840-424.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (236-1988)

AUTHORIZING ATTENDANCE AT ANNUAL SPRING CONFERENCE OF NEW YORK STATE ASSOCIATION OF MUNICIPAL PURCHASING OFFICIALS (LAURENCE KOHLER) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Carey offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the Annual Spring Conference of the New York State Association of Municipal Purchasing Officials at Saratogo Springs, NY on May 4-6, 1988, and be it.

FURTHER RESOLVED, that all necessary expenses relating to conference be charged to account. A1010-414.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (237-1988)

AUTHORIZING SETTLEMENT OF TAX CERTIORARI - WESTCHESTER - ROCKLAND NEWSPAPER, INC.

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (237-1988) Continued

WHEREAS, a proceeding was commenced in the Supreme Court of the State of New York, County of Westchester, entitled "WESTCHESTER-ROCKLAND NEWSPAPER, INC., LESSEE OBLIGATED TO PAY TAXES, PETITIONER, vs. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN" for the years 1983, 1984, 1985, 1986 and 1987, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceeding and discontinue with prejudice and without costs, that the premises owned by the petitioner described on the assessment role as Map 106, Block A, Lot 1, be reduced on the 1987/1988 assessment role from \$1,504,800.00 to \$1,304,800.00, and

1. That the reimbursement to the petitioner by the Town of Clarkstown for the State, County and Town tax for said period be made between January 1, 1989 and January 31, 1989, and that reimbursement be made to the Petitioner by the Clarkstown Central School District between September 1, 1988 and September 30, 1988.

2. That the assessment role for the period 1988/1989 School; 1989 State, School, County and Town; 1990 State, County and Town and 1989/90 School, be reduced for each period by the sum of \$75,000.00 so that the total assessment for each such period be \$1,429,800.00, and

3. That the petition be discontinued with prejudice for the years 1983 through 1987 inclusive.

4. That the proceeding commenced by the petitioner for property described on the assessment roll of the Town of Clarkstown Map 107, Block A, Lot 13, for the years 1983, 1984, 1985, 1986 and 1987 be discontinued with prejudice.

5. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this stipulation upon service of a true copy of an order to be entered on the stipulation settling the above captioned proceeding on the aforesaid terms.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (238-1988)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE RECREATION
AND PARK SOCIETY CONFERENCE
IN MONTICELLO, NEW YORK
(CLARKSTOWN PARKS BOARD AND
RECREATION COMMISSION
MEMBERS AND TOWN BOARD
LIAISON) - CHARGE TO
APPROPRIATION ACCOUNTS A
7140-414 AND 7141-414

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ABF478

RESOLUTION NO. (238-1988) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the Clarkstown Parks Board and Recreation Commission members and Town Board Liaison to the Commission are hereby authorized to attend the 1988 New York State Recreation and Park Society Conference from Sunday, April 17, 1988 through Wednesday, April 20, 1988, to be held in Monticello, New York, and be it.

FURTHER RESOLVED, that all necessary expenses not to exceed \$300.00 per person be allocated against Appropriation Accounts A 7140-414 and A 7141-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (239-1988)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE RECREATION
AND PARK SOCIETY CONFERENCE
IN MONTICELLO, NEW YORK
(SUPERINTENDENT OF
RECREATION AND PARKS AND
DESIGNATED STAFF MEMBERS) -
CHARGE TO APPROPRIATION
ACCOUNTS A 7141-414 AND
7310-414

Co. Smith offered the following resolution:

RESOLVED, that the Superintendent of Recreation and Parks and designated staff members are hereby authorized to attend the 1988 New York State Recreation and Park Society Conference from Sunday, April 17, 1988 through Wednesday, April 20, 1988, to be held in Monticello, New York, and be it.

FURTHER RESOLVED, that all necessary expenses not to exceed \$2,000. be allocated against Appropriation Accounts A 7141-414 and A 7310-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (240-1988)

AUTHORIZING ATTENDANCE AT
ATHLETIC FIELD SEMINAR AT
WOODCLIFF LAKE, NEW JERSEY,
(EDWARD GHIAZZA, BRUCE
KNARICH, AND FRED HASTINGS)

RESOLUTION NO. (240-1988) Continued

Co. Maloney offered the following resolution:

RESOLVED, that Edward J. Ghiazza, Supt. of Recreation and Parks; Bruce D. Knarich, Maintenance Supervisor (Grounds); and Frederick Hastings, Groundskeeper; are hereby authorized to attend an athletic field seminar on April 11 and 12, 1988, at the Woodcliff Lake Hilton Hotel, Woodcliff Lake, New Jersey, and be it.

FURTHER RESOLVED, that all necessary expenses be allocated against Appropriation Account A 7140-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (241-1988)

REFERRING ZONE CHANGE
PETITION TO THE TOWN AND
COUNTY PLANNING BOARDS -
CLINTON SQUARE PLAZA, INC.

Co. Maloney offered the following resolution:

WHEREAS, CLINTON SQUARE PLAZA, INC., has petitioned the Town Board of the Town of Clarkstown to amend the Zoning Ordinance of the Town by redistricting property of the petitioner described in its petition from an LIO District to an MRS District;

NOW, THEREFORE, be it.

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

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and hereby designates Manuel S. Emanuel Associates, Inc., to act as agent for the Town Board with respect to State Environmental Quality Review Act (SEQRA) review, and be it.

FURTHER RESOLVED, that the Planning Board is hereby authorized and directed to require the preparation of a Draft Environmental Impact Statement (DEIS) and all other matters necessary to comply with SEQRA.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (242-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #43-1988 -
REPAIRS TO A CATERPILLAR
D-8K

Co. Maloney offered the following resolution:

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

BID #43-1988
REPAIRS TO A CATERPILLAR D-8K

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,
March 30, 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 Kunis.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (243-1988)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #42-1988 -
SECURITY GUARD SERVICE,
TOWN PARKS

Co. Maloney offered the following resolution:

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

BID #42-1988
SECURITY GUARD SERVICE
TOWN PARKS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:30 A.M. on Friday, April
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. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (244-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #41-1988 -
REFUSE PICK-UP SERVICE

Co. Maloney offered the following resolution:

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

BID #41-1988
REFUSE PICK-UP 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 Friday, April
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. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (245-1988)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #44-1988 -
LABORATORY TESTING SERVICES

Co. Maloney offered the following resolution:

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

BID #44-1988
LABORATORY TESTING SERVICES

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, March
31, 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 Kunis.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

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RESOLUTION NO. (246-1988)

AUTHORIZING THE DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #45-1988 -
OFFICE FURNITURE

Co. Maloney offered the following resolution:

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

BID #45-1988
OFFICE FURNITURE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, March
29, 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 Kunis.....Yes
Councilman Maloney.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (247-1988)

REFERRING PROPOSED
ABANDONMENT OF A PORTION OF
ROCKLAND AVENUE AND HOWARD
STREET, CONGERS TO TOWN AND
COUNTY PLANNING BOARDS

Co. Smith offered the following resolution:

WHEREAS, a request has been made by Carl H. Landgren to
abandon that portion of rights-of-way known as Rockland Avenue and
Howard Street located between Lawrence Street and Endicott Street,
Congers, as shown on the Clarkstown Tax Map as Map 127, upon the
grounds that same have never been used by the public and therefore
may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the
Town of Clarkstown, and

WHEREAS, the Town Board of the Town of Clarkstown
desires to consider the determination of abandonment pursuant to
Section 205 of the Highway Law and deletion from the Official Map of
the Town of Clarkstown pursuant to Section 273 of the Town Law of
said portion of Rockland Avenue and Howard Street, as described on
the attached Schedule "A";

NOW, THEREFORE, be it.

RESOLVED, that a copy of this resolution be referred to
the Clarkstown Planning Board and Rockland County Planning Board for
its report and recommendation, if any, and be it.

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

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RESOLUTION NO. (247-1988) Continued

(Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (248-1988)

AUTHORIZING THE NYACK
LION'S CLUB OF NYACK TO
HOLD A TURKEY SHOOT

Co. Maloney offered the following resolution:

WHEREAS, the Nyack Lion's Club of Nyack, New York, has requested the consideration of the Town Board of the Town of Clarkstown to hold a Turkey Shoot as a fund raiser for their organization, and

WHEREAS, the proposed Turkey Shoot is to be held on September 11, 18, 25 and October 2, 1988, on the property of Charles Christian on Route 9W. Rain dates are October 9 and 16, 1988.

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Nyack Lion's Club to hold a Turkey shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (249-1988)

ACCEPTING THE GRANT FROM
THE GOVERNOR'S TRAFFIC
SAFETY COMMITTEE FOR THE
SAFETY BELT AND SPEED
ENFORCEMENT PROGRAM

Co. Maloney offered the following resolution:

WHEREAS, the Governor's Traffic Safety Committee has approved a grant application by the Clarkstown Police Department for the Safety Belt and Speed Enforcement Program, for the period from January 1, 1988 through December 31, 1988, in the sum of \$101,052.00, and

NOW, THEREFORE, be it

Continued on Next Page

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RESOLUTION NO. (249-1988) Continued

RESOLVED, that the Town of Clarkstown hereby accepts the grant from the Governor's Traffic Safety Committee for the Safety Belt and Speed Enforcement Program, for the period from January 1, 1988 through December 31, 1988, in the sum of \$101,052.00, and be it.

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute an amendment to an agreement dated February 2, 1986, to effect said acceptance.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (250-1988)

REFERRING TO THE TRAFFIC AND TRAFFIC FIRE SAFETY ADVISORY BOARD, SPRING VALLEY; MISCELLANEOUS CROSSING AND ENTRANCE SIGNS; NON-CONFORMING TRAFFIC SIGNS; PARKING SIGNS ON MAIN STREET, NANUET; CONGER AVENUE AND HARRISON AVENUE, CONGERS

Co. Maloney offered the following resolution:

RESOLVED, that pursuant to Chapter 18, Section 4 of the Code of the Town of Clarkstown, the following reports as prepared by Howard L. Lampert, P.E., Traffic and Highway Engineering Consultant are referred to the Traffic and Traffic Fire Safety Advisory Board:

Birchwood Avenue, Spring Valley (dated 2/17/88)

Miscellaneous Crossing and Entrance Signs (dated 2/18/88)

Non-Conforming Traffic Signs (dated 2/18/88)

Parking Signs on Main Street, Nanuet. (dated 2/17/88)

Conger Avenue and Harrison Avenue, Congers (dated 2/23/88)

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (251-1988)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND FOR STREET LIGHTING: MOUNTAIN AVE. CENTRAL NYACK

RESOLUTION NO. (251-1988) Continued

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

WHEREAS, a survey of surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Services Coordinator, and

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

NOW, THEREFORE, be it

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

- | | |
|---|---------------|
| Mountainview Avenue
(Proposal No. 2) | Central Nyack |
| (Existing pole number 60863/40435 - One (1) | |
| 5800 lumen sodium vapor street light. | |
| Existing pole number 60887/40444 - One (1) | |
| 5800 lumen sodium vapor street light. | |
| Existing pole number 60901/40461 - One (1) | |
| 5800 lumen sodium vapor street light. | |
| Existing pole number 60912/30385 - One (1) | |
| 9500 lumen sodium vapor) | |

Seconded by Co. Kunis

On roll call the vote was as follows:

- | | |
|--------------------------|-----|
| Councilman Carey..... | Yes |
| Councilman Kunis..... | Yes |
| Councilman Maloney..... | Yes |
| Councilwoman Smith..... | Yes |
| Supervisor Holbrook..... | Yes |

RESOLUTION NO. (252-1988)

AUTHORIZING ATTENDANCE AT SEMINAR AND WORKSHOP ON STATE ENGERGY CODE IN CENTRAL VALLEY, NEW YORK (MILICH, McLEOD, TRUMPER, MAHONEY, LAWRENCE, FLORENCE AND BEARY) - CHARGE TO ACCOUNT NO. 1010-414

Co. Carey offered the following resolution:

RESOLVED, that A. Milich, D. McLeod, G. Trumper, B. Mahoney, E. Lawrence, P. Florence and P. Beary, Assistant Building Inspectors are hereby authorized to attend the Seminar and Workshop on the State Energy Code, being sponsored by the N.Y. State Energy Office at the Gasho Conference Center, Central Valley, N.Y. on April 11th and 12th, 1988 at a fee of \$50.00 each, and be it.

FURTHER RESOLVED, that all costs be charged to Account No. 1010-414.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

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RESOLUTION NO. (252-1988) Continued

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

On item 33a on the agenda, Councilman Kunis commented that it was his understanding that the bid awarded on the dump trucks was not the low bidder. He said that he thought if they were going to award something to a higher bidder the Board should know more about it at a workshop session and should have copies of all the bids because this bid is \$2,266.00 higher than Pleasantville Ford bidden on the job. I think we are owed an explanation and I don't think the Board should vote on this prior to receiving the bids, specifications and whatever else is needed. He said he received various phone calls regarding this bid and I think it would be in the best interest of the Board to table this this evening.

Supervisor asked if Mr. D'Antoni would like to respond.

Superintendent of Highways, Mr. D'Antoni said that the recommendation that they made was based on the fact that they visited the Superintendent of Highways office in White Plains and examined the Everest equipment which was the plow equipment and the Everest body that will be put on the chassis of the Ford vehicle. We found them to be inferior made as far as the quality of the steel is concerned. We gave Larry Kohler a very technical detailed reason as to why.

Supervisor asked Mr. D'Antoni if this had to be decided tonight. Mr. D'Antoni said no but he would like it decided as soon as possible.

Councilman Carey and Councilwoman Smith withdrew their motions.

RESOLUTION NO. (253-1988)

AWARDING BID #12-1988 -
MECHANICS COVERALL RENTAL
SERVICE (UNIFIRST
CORPORATION)

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

BID #12-1988
MECHANICS COVERALL RENTAL SERVICE

is hereby awarded to

UNIFIRST CORPORATION
735 SOUTH STREET
NEWBURGH, NY 12550

as per their low bid proposal of:

\$3.00 per week per employee for two change program polyester/cotton, or
\$3.50 per week per employee for two change program all cotton garments, and be it

FURTHER RESOLVED, that successful contractor agrees to switch to approved summer weight coverall for months of June, July, August at same stated costs.

RESOLUTION NO. (253-1988) Continued

Seconded by Co. Smith

Councilman Kunis addressed the Superintendent of Highways and said that it was his understanding that the Highway Department maintenance people at the present time do not wear uniforms. Is that correct, Mr. D'Antoni?

Mr. D'Antoni said he put it through regulation that there will be full uniforms and they are in the process of putting it all together.

Councilman Kunis said then you are saying that the service will be fully utilized and if we see a Highway Department employee working on Town time, he will always be in uniform. Is that correct, sir?

Mr. D'Antoni said this has to do with the men working in the auto mechanics garage only.

On roll call the vote was as follows:

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

Item #34 on the agenda was tabled.

RESOLUTION NO. (254-1988)

AWARDING BID #16-1988 -
STORAGE AND DELIVERY OF
TOWN VOTING MACHINES (NYACK
EXPRESS COMPANY, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Town Clerk and the Director of Purchasing that

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

is hereby awarded to

NYACK EXPRESS COMPANY INC.
32-38 HIGH AVE.
NYACK, NY 10960

as per their proposed cost of \$30,000 for storage, delivery and pick-up of voting machines twice yearly. Proposed additional cost of delivery and pick-up - per machine - in excess of twice yearly at \$75.00 per machine, per occasion. Proposed additional cost of emergency replacement of a defective voting machine during an election at \$100. per machine.

Seconded by Co. Smith

On roll call the vote was as follows:

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

ABF478

RESOLUTION NO. (255-1988)

REAPPOINTING MEMBERS TO THE
CLARKSTOWN CITIZENS
ADVISORY BOARD: BERNICE
GLASS, DANNY MOSCATO, IDA
GRIGSBY

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby reappointed to
the Clarkstown Citizens Advisory Board for the allocation of 1988
Community Development Funds:

Ms. Bernice Glass
24 Pine Street.
Nyack, NY 10960

Mr. Danny Moscat.o
8 Esquire Road
New City, NY 10956

Ms. Ida Grigsby
Waldron Avenue
Central Nyack, NY 10960

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (256-1988)

APPOINTING TO POSITION OF
MEMBER - CONDOMINIUM
INFORMATION BOARD (MARION
MAHER)

Co. Maloney offered the following resolution:

RESOLVED, that Marion Maher, 542 Sierra Vista Lane,
Valley Cottage, New York, is hereby appointed to the position of
Member - Condominium Information Board - to serve without
compensation - term effective March 9, 1988 and to expire on March
8, 1995.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (257-1988)

APPOINTING TO POSITION OF
CHAIRMAN - CONDOMINIUM
INFORMATION BOARD (MARION
MAHER)

Co. Smith offered the following resolution:

Continued on Next. Page

RESOLUTION NO. (257-1988) Continued

RESOLVED, that Marion Maher, 542 Sierra Vista Lane, Valley Cottage, New York, is hereby appointed to the position of Chairman - Condominium Information Board - to serve without compensation - term effective March 9, 1988 and to expire on December 31, 1988.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (258-1988)

APPOINTING TO POSITION OF MEMBER - CONDOMINIUM INFORMATION BOARD TO FILL THE UNEXPIRED TERM OF CAROLE DUGAN (STEPHANIE HUGHES)

So. Maloney offered the following resolution:

RESOLVED, that Stephanie Hughes, 391 Sierra Vista Lane, Valley Cottage, New York, is hereby appointed to the position of Member - Condominium Information Board - (to fill the unexpired term of Carole Dugan) to serve without compensation - term effective March 9, 1988 and to expire on December 31, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (259-1988)

APPOINTING TO THE POSITION OF MEMBER - CONDOMINIUM INFORMATION BOARD - (TO FILL THE UNEXPIRED TERM OF GERALD NEWMAN) (JOE WOLFIN)

Co. Maloney offered the following resolution:

RESOLVED, that Joe Wolfin, 5 Bramar Court, New City, New York, is hereby appointed to the position of Member - Condominium Information Board - (to fill the unexpired term of Gerald Newman) - to serve without compensation - term effective March 9, 1988 and to expire on December 11, 1991.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (260-1988)

ACCEPTING RESIGNATION OF
PART-TIME CLERK -
ASSESSOR'S OFFICE (PATRICIA
MALONEY TITLAND)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Patricia Maloney
Titland, 24-2 Normandy Village, Nanuet, New York - part-time Clerk -
Assessor's Office - is hereby accepted - with regret - effective and
retroactive to February 26, 1988.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (261-1988)

APPOINTING TO POSITION OF
PART-TIME BUS DRIVER - MINI
TRANS (ROY LUNDE)

Co. Maloney offered the following resolution:

RESOLVED, that Roy Lunde, 82 Demarest Avenue, West
Nyack, New York is hereby appointed to the position of part-time Bus
Driver - Mini Trans Department - at the current 1988 hourly rate of
\$8.27 - effective and retroactive to February 22, 1988.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (262-1988)

APPOINTING TEMPORARY
MAINTENANCE HELPER - TOWN
HIGHWAY DEPARTMENT (JOHN
KOLKA, II)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the
appointment by the Superintendent of Highways of John Kolka, II, 8
Kolka Lane, New City, New York, as a (temporary) Maintenance Helper
(position encumbered by Francis Lappin) - Town Highway Department -
at the current 1988 annual salary of \$16,534., effective and
retroactive to March 7, 1988.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (263-1988)

GRANTING EXTENSION OF SICK
LEAVE TO RECREATION LEADER
- PARKS BOARD AND
RECREATION COMMISSION
(SUZANNE HUNTER)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII,
Section 3 (k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of the C.S.E.A., Suzanne Hunter, 56 Lenox
Avenue, Congers, New York - (provisional) Recreation Leader - Parks
Board and Recreation Commission - is hereby granted an extension of
her Sick Leave of Absence - at one half pay - effective and
retroactive to March 1, 1988, for a period not to exceed one month.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (264-1988)

GRANTING EXTENSION OF SICK
LEAVE TO RECREATION LEADER
- PARKS BOARD AND
RECREATION COMMISSION
(MICHAEL CARROLL)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII,
Section 3 (k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of the C.S.E.A., Michael Carroll, 322 Old
Route 304, New City, New York, Recreation Leader - Clarkstown Parks
Board and Recreation Commission - is hereby granted an extension of
his Sick Leave of Absence - at one half pay - effective March 16,
1988, for a period not to exceed one month.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (265-1988)

APPOINTING TO CLARKSTOWN
CONSUMER AFFAIRS COMMISSION
ON A TEMPORARY BASIS
(MARIANNE ANTOLINO AND
TRUDY BASLOW)

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby appointed to
the Clarkstown Consumer Affairs Commission on a temporary basis:

Mrs. Marianne Antolino
33 Amarillo Drive
Nanuet, New York 10954

Continued on Next Page

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RESOLUTION NO. (265-1988) Continued

Mrs. Trudy Baslow
6 Woodland Road
New City, New York 10956

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (266-1988)

ELIMINATING NEWSPAPERS FROM
THE TOWN OF ORANGETOWN
REFUSE

Co. Carey offered the following resolution:

RESOLVED, that after June 1, 1988 refuse from the Town of Orangetown entering the Clarkstown Sanitary Landfill shall not contain newspapers.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (267-1988)

DEFENDING AN ACTION IN THE
UNITED STATES DISTRICT
COURT - (RAIA)

Co. Carey offered the following resolution:

WHEREAS, an action has been commenced in the United States District Court for the Southern District of New York entitled as follows:

RAIA INDUSTRIES, INC.

-against-

DAVID KRAUSHAAR

WHEREAS, David Kraushaar was Chairman of the Clarkstown Zoning Board of Appeals when the facts which gave rise to this suit were taking place and said David Kraushaar is presently a member of the Clarkstown Zoning Board of Appeals, and

WHEREAS, David Kraushaar has requested that the Town of Clarkstown undertake his defense in this action;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown undertakes the defense of David Kraushaar in this matter, and be it

Continued on Next Page

RESOLUTION NO. (267-1988) Continued

FURTHER RESOLVED, that the Town Attorney is hereby authorized to employ special counsel to defend this action on behalf of David Kraushaar, and be it.

FURTHER RESOLVED, that all costs and legal fees on behalf of the Town shall be charged to Account No. A 1420-409.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (268-1988)

OPPOSING THE PURCHASE OF THE CHAMPION BUILDING BY THE COUNTY OF ROCKLAND AND RECOMMENDING THAT THE COUNTY EXPAND ON THE GREENBERG PROPERTY

Co. Carey offered the following resolution:

RESOLVED, that the Town of Clarkstown is opposed to the purchase of the Champion Building in West Nyack by the County of Rockland, and be it.

FURTHER RESOLVED, that the Town of Clarkstown is in opposition for the following reasons:

1. New City is the County Seat of Rockland County and should contain the executive and legislative branches of government.
2. The purchase of the Champion property by the County would remove a valuable ratable from the tax rolls forever.
3. The space problem of Rockland County can be solved on the land presently occupied by County offices, and be it.

FURTHER RESOLVED, that the Town of Clarkstown recommends that the County expand on the present Greenberg property and undertake plans in conjunction with the Clarkstown Town Board, Planning Board, and Traffic Advisory Board to realign New Hempstead Road so as to permit through traffic to Route 304, and be it.

FURTHER RESOLVED, that copies of this resolution be submitted to the Rockland County Executive, John Grant, and to all Rockland County Legislators.

Seconded by Co. Smith

At this point the following tabling resolution was introduced:

RESOLUTION No. (269-1988)(FAILED)

TABLING RESOLUTION NO. (268-1988) RE. PURCHASING OF THE CHAMPION BUILDING IN WEST NYACK BY THE COUNTY OF ROCKLAND

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (269-1988) Continued

RESOLVED, that Resolution No. (268-1988) regarding the purchase of the Champion Building in West Nyack by the County of Rockland be and it is hereby tabled.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

The tabling resolution failed by a 3-2 vote.

Town Clerk then called for the vote on the original motion opposing the purchase of the Champion Building.

Co. Kunis commented that he is a Clarkstown representative and a representative of New City and said he went to a Chamber of Commerce meeting and spoke with the President of the Chamber of Commerce and the President of the West Nyack PTA and arranged to meet with her on Wednesday. He spoke to the County Executive's Office and they indicated that a vote will not be taken on Champion until at least after March 25. The County of Rockland is currently paying \$50,000 for an appraisal and an evaluation of the Champion property - fifty thousand dollars of our tax dollars. As a Town Board member, I owe the courtesy to the County Executive and the legislature to complete their study and to provide the Town Board and me with all of the facts. He said it will take about two or three weeks for the study to be completed. He said it can wait a week or two when it will be prior to the vote of the entire legislature which will occur the end of March or early April. He said your talking about a twenty-four million dollar purchase as opposed to a forty million dollar build in New City. He said he thought it would be great for the economy to straighten out New Hempstead Road. He said he was going to abstain on the vote because it was a premature vote. He said the legislature for the last two years has an approval to add a fourth floor on the County Office Building. They haven't done a thing and who knows what's going to happen. We are waiting in Clarkstown for two and a half years for a two hundred million dollar potential tax ratable. It can wait another two weeks prior to voting no on a resolution asking the County to remain and build their offices in New City. So therefore I abstain.

Co. Maloney said he was elected by all the people of Clarkstown and he cannot in good conscience make a decision when he does not have all the facts. He said he heard the president of the Chamber of Commerce speak tonight and he said it was the first time he heard that report. He said even the president of the Chamber of Commerce said there were a lot of questions that remained unanswered. He said he still does not know how much space the County really needs - do they need twenty thousand feet, fifty thousand or a hundred and fifty thousand? Again he said he is asking for the two week time before I memorialize the legislature or anybody else to make a decision that's going to affect all of the people of the Town of Clarkstown and may saddle them with a nine million dollar tax burden over the next twenty years and so I abstain.

Continued on Next Page

RESOLUTION NO. (268-1988) Continued

Co. Smith said that a purchase of a building that has non-use of an excess of forty percent space is not prudent. A second consideration I have is that if the County were to go into the Champion Building what may happen to the Tech center there. If it's to be empty, would they also dangle that building in front of us and fill it with another County Agency? I think most importantly, we are becoming known as a throw away society and we all know what that is costing us in problems and in tax dollars. I think we are using the same method here. We are throwing away what we have here for something bigger, better, and quicker. I firmly believe that with modest casing (?) and advancement that we can pass on a legacy in Rockland County that would be very worth keeping and I think that we should stay in New City.

Supervisor Holbrook said that for the reasons which I read in the resolution that I drafted, I vote yes.

On roll call the vote was as follows:

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

RESOLUTION NO. (270-1988)

REFERRING PROPOSED
ABANDONMENT OF A PORTION OF
FOXWOOD ROAD, WEST NYACK TO
TOWN AND COUNTY PLANNING
BOARDS AND DEPARTMENT OF
ENVIRONMENTAL CONTROL

Co. Maloney offered the following resolution:

WHEREAS, a request has been made by Chanin Techopichetwongsa residing at 30 Foxwood Road, West Nyack, for the deletion of a mapped but unopened portion of Foxwood Road from the Official Map of the Town of Clarkstown and a declaration that such right-of-way which is undeveloped has been abandoned, and

WHEREAS, the portion of Foxwood Road described on the attached Schedule "A" as shown on the subdivision map entitled "Cherry Hill, East Section," filed in the Rockland County Clerk's Office in June, 1956 in Book 57 at Page 6 as Map No. 2434, has not been developed as a Town road but appears to be vacant property adjacent to the existing Foxwood Road in the vicinity of the applicant's residence, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portions as described on Schedule "A" attached, and

WHEREAS, the Town Board wishes to also consider the possible declaration that said property constitutes surplus municipal property which may be disposed of in accordance with law;

NOW, THEREFORE, be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Rockland County Planning Board for its report and recommendation, if any, and be it

Continued on Next Page

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RESOLUTION NO. (270-1988) Continued

FURTHER RESOLVED, that a copy of this resolution be referred to the Department of Environmental Control for its report and recommendation, if any, and be it.

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (271-1988

GRANTING A CERTIFICATE OF REGISTRATION PURSUANT TO SECTION 83-65 OF THE CODE OF THE TOWN OF CLARKSTOWN

Co. Maloney offered the following resolution:

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

Gregg Lesko
11 Bridle Lane
Spring Valley, New York 10977

NOW, THEREFORE, be it.

RESOLVED, that the following Certificate of Registration be issued:

No. 88-17 issued to Gregg Lesko

Seconded by Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (272-1988)

AUTHORIZING THE SUPERVISOR TO SIGN A LEASE AGREEMENT ON BEHALF OF THE TOWN WITH PAT ROBINSON AT 21 DEMAREST AVE., NEW CITY

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown has acquired title to premises at 21 Demarest Avenue, New City, New York, on February 17, 1988, and

RESOLUTION NO. (272-1988) Continued

WHEREAS, Pat. Robinson is a tenant at such premises on a month to month basis,

THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign a lease agreement on behalf of the Town of Clarkstown with Pat. Robinson for three months at 21 Demarest Avenue, New City, New York, retroactive to March 1, 1988 and terminating May 31, 1988 at a rental of \$320.00 per month.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Chapter 79 (Renart) - was opened: time 9:40 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Chapter 79 (Renart) was adjourned to April 30, time: 9:46 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Chapter 79 (Kloek) was opened, time: 9:46 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Chapter 79 (Kloek) was closed and ADOPTED, time: 9:50 P.M.

RESOLUTION NO. (273-1988)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REMOVE DEBRIS ON PREMISES DESIGNATED AS MAP 139, BLOCK B, LOT 20 (KLOEK)

Co. Maloney offered the following resolution:

WHEREAS, by Resolution No. 103 dated January 26, 1988, the Town Board of the Town of Clarkstown has duly instituted proceedings pursuant to Chapter 79 of the Town Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as MAP 139, BLOCK B, LOT 20, to remove or correct certain conditions which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on March 3, 1988, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Section 79-3 of the Code of the Town of Clarkstown dated January 26, 1988, have not been corrected, and be it

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RESOLUTION NO. (273-1988) Continued

FURTHER RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he is hereby authorized and directed to remove the debris and otherwise is directed to perform the corrective action ordered in said Order and Notice, as directed by the Building Inspector, if such condition continues uncorrected on or after March 18, 1988, and be it.

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

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Grace Street & Orchard Street. (Eliminate through traffic) was opened, time: 9:51 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Grace Street & Orchard Street. (Eliminate through traffic) was closed, DECISION RESERVED until April 12, 1988, time: 11:00 P.M.

There being no further business to come before the Town Board and no one further wishing to be heard on motion of Councilman Maloney, Seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 11:00 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

77

Town Hall

3/8/88

9:40 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney, Smith
Murray Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: CHAPTER 79 (RENART)

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

Supervisor asked Mrs. Irene Seccende (Code Inspector for the Town of Clarkstown) if she had something to report to the Board on this particular issue. Supervisor swore in Mrs. Seccende. Supervisor said in regard to the property located at 411 South Little Tor Road, New City, what is your recommendation to the Town Board?

Mrs. Seccende said that Mr. Renart has made tremendous progress since last Thursday and I would recommend a time schedule be set up.

Supervisor asked her if she had a recommendation for the time schedule?

Mrs. Seccende said Mr. Renart is here and she would like him to speak on that.

Supervisor swore in Mr. Renart.

Mr. Renart said he is a mechanical contractor. He said his parents owned this property since 1930, approximately fifty-eight years. He said he has been in the mechanical contracting business since 1950 and was here before the zoning came in. He said he has one trailer left and cast iron piping which is worth thousands of dollars and he is not just going to put it in the dump. He said he has to put it in the buildings, etc.

Supervisor asked Mr. Renart if he had any time schedule he could offer the Town in terms of the removal of the trailer? Mr. Renart said about thirty days. Supervisor set the date at April 30th.

Supervisor asked if there was anyone present who wished to make a comment.

No one appeared

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was adjourned until April 30, 1988, time: 9:46 P.M.

Respectfully submitted

Patricia Sheridan

PATRICIA SHERIDAN
Town Clerk

ABF478

Present: Supervisor Holbrook
Council Members Carey, Maloney, Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: CHAPTER 79 VIOLATION HEARING (KLOEK)

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

Supervisor called on Mrs. Seccende, who had already been sworn in, to give a report on the property located at 162 New York Avenue, Congers, New York - the owner on record, Barbara Kloek.

Mrs. Seccende said of the five unlicensed vehicles on the property, one has been licensed, two have been removed. However, there remain two vehicles which have to be removed. She said she recommends that the Town undertake the removal.

Supervisor asked if the trailer is still located on the property?

Mrs. Seccende said that is still on the property.

Supervisor asked if there was any other debris or garbage on the property at this time?

Mrs. Seccende said "no."

Supervisor asked what type of time frame should we have for removal - ten days?

Mrs. Seccende said five days.

Supervisor said the 18th of March.

Supervisor asked if there was anyone present who would like to make a comment on this matter?

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted the Public Hearing was adjourned, time: 9:50 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (273-1988) ADOPTED

ABF478

TOWN OF CLARKSTOWN
PUBLIC HEARING

81

Town Hall

3/8/88

9:51 P.M.

Present: Supervisor Holbrook
Council Members Carey, Maloney and Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

RE: GRACE STREET & ORCHARD STREET (ELIMINATE THROUGH TRAFFIC)

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

The Town Attorney said they have not yet received the SEQRA report so no decision can be made this evening.

The Supervisor said the purpose of the meeting tonight is the closing of Grace and Orchard Streets. The SEQRA report and the input that has to be obtained are in the process of being compiled. The Town Board will hear any and all citizens to which this issue pertains and we will take that information and continue to work on the SEQRA report pursuant to the order of the Supreme Court of the State of New York whose decision was rendered in February. When the SEQRA report is completed, the Town Board will then announce when it will make its decision.

The Supervisor read the following piece of correspondence

"100 Church Street.
Nanuet, NY 10954
March 5, 1988

Dear Mr. Holbrook:

My sechedule will not permit me to attend the March 8 meeting at the Town Hall regarding the closing of Grace and Orchard Streets, so I am writing this letter to you to express my feelings.

My home is directly across the street from the Nanuet High School driveway entrance. Having lived here for four years, I am quite familiar with the traffic patterns, motorists speed and the physical condition of Church Street.

The traffic situation is bad and getting worse. There is so much traffic on our street! Granted, it is parallel to Rt. 59 and in some drivers' minds, it is a shortcut; the fact is that there is already an overabundance of traffic here, and it was even worse when the aforementioned streets were closed.

Cars regularly speed on Church Street. I have called the Clarkstown Police in the past, and on occasion they have parked in my driveway to monitor the traffic. I also contacted the Nanuet School System to advise them that their buses regularly travel at excessive speeds on our street. The woman with whom I spoke thanked me and assured me that she would speak with the drivers.

The condition of Church Street is bad and getting worse due to the traffic. Last month, I watched in amazement as five men with two trucks "filled in" potholes in the roadway between my home and the school driveway. Five men! And, I'm sorry to say, that they should have sent more men -- the potholes returned about two weeks after they were so expertly filled.

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I sympathize with the residents of Grace and Orchard streets. However, I feel that the Church Street problem is even worse, due to the volume and speed of motorists. Like you, I am concerned about a fair resolution to the problem, not one whereby there is a winner-loser scenario. But I feel that by alleviating one bad situation and worsening another, that scenario will become real.

Solutions? Who knows. This area is so over-developed that it is going to be a problem no matter what. What a fiasco it was when the streets were temporarily closed and only right-turns could be made from the shopping center onto Smith Road! U-turns, etc. were commonplace, again causing dangerous situations.

Thanks a lot for taking time to hear me out. I hope a reasonable conclusion can be reached, and should your schedule permit, I would appreciate a reply to my letter.

Sincerely,

(s) Vincent Carella"

The Supervisor asked if anyone from the public would like to make a comment?

Appearance: Ken Hart
President of Nanuet Village Condominiums

He said he is here both to represent the Condominium as well as those residing in the other sections of Normandy Village. We're talking about 400 families who at one time or another have reason to use the Service Merchandise Mall. He said their problems are the same as the homeowners who have requested the closing of the streets. They both have traffic problems and have trouble getting out of their driveways. He said the closing of those streets will increase the traffic on College Avenue. Traffic is also increased at the light on First Street and College Avenue. The corner of Church Street and College Avenue which doesn't have a light has an increase in traffic. You will be adding additional congestion to the roads that are already overburdened. These streets leading into the Mall do play an important roll in easing some of the congestion. Without these exits those who live in Normandy Village area must travel a mile and a half further to get back to their homes and most important they have to travel on Smith Street and Church Street which is through the school district comprising the High School, Miller School and that area, and he mentioned the possibilities of injuries to the school children with the increase in traffic. He said the shopkeepers will lose business because of the street closing as people will not want to put up with the hassle of shopping in that mall.

Councilman Kunis returned at this point. (10:04 P.M.)

Appearance: Gregory Tobin
President of Nanuet Fire Engine Company

He said the Nanuet Fire Company is against the closing of these roads until a by-pass road is made. We have had problems with the crash gates. It was not plowed through. The fire trucks could not get through that area. We had cars parked in the shopping center blocking the gates and we could not use those exits this past winter. He said there is only one fire hydrant for that entire plaza for Path Mark, etc. It really cannot be done until the by-pass is made.

Appearance: Phillip Greely
John Collins Engineers
Traffic and Transportation Engineers

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He said they have been asked to review the access to and from the Rockland Center Shopping Center and he said he had a report to present to the Board which he would summarize this evening. He said the Rockland Center is currently served by two driveways to Route 59 which allow only right turn entries and right turn exits onto Route 59. In addition there are the Grace Street and East Orchard Street entry/exits to the shopping center as well as an access drive out to Smith Street. Those are the current accesses in and out of the property. In order to look at the circulation in that area, back in July of last year we conducted a traffic count on both Grace Street and East Orchard Street to identify the volumes that utilize those roadways and accesses in the shopping center. On a peak hour basis we found on the order of 600 total entering and exiting vehicles utilizing those two streets. In terms of what has transpired, there was a period where there was a temporary closing of those two streets and as part of the history the Town Planning Consultant, at that time RPPW, had compiled some additional statistics on the traffic volumes and potential problems with that. In terms of the traffic volumes that they had established utilizing Grace and East Orchard Street, we found slightly higher volumes but it was possibly due to the seasonal difference when the counts were done. In their study which we had reviewed, certain potential problems were identified with the closing of those two facilities. Since the time of that initial study, the actual temporary closings of the streets did occur and as predicted in their study certain problems did exist.

He said he would like to summarize some of the areas that they feel are of significant concerns with respect to the access and our feelings as to how it would affect the overall circulation on Route 59 and Smith Street, etc. To go through some additional items, we did review accident records from the Town of Clarkstown Police Department for both the year 1986 and 1987. We reviewed specifically the time period to do a comparison of when those two streets were closed for access to the shopping center. Basically the period from August of 1987 through the beginning of February 1988 and on the intersection of Route 59 and Smith Street and in that vicinity there was an increase in accidents for a total of sixteen accidents in 1986 to a total of twenty-three accidents during 1987-88. Most of those accidents appeared to have occurred with the initial closing of those streets - with the additional traffic that was diverted to the remaining three driveways as a result of the closure. That traffic was forced to utilize connection out to Smith Street or access directly out to Route 59 and with that additional 600 plus or minus vehicles certain other problems did develop. Within the shopping center itself, as shown in our report, very extensive queues developed for vehicles exiting the shopping center which from a safety and circulation standpoint is a major concern. Queues developed where they backed up from Smith Street into the main circulating roads within the shopping center. Likewise along the driveway to Route 59. From a safety standpoint this is a difficult situation in the sense that if emergency vehicles and fire vehicles have to get into the shopping center and the driveways are blocked, this is a potential for a disaster there. From the shopping center safety standpoint and for the safety of the patrons and the general public, there have been some problems that resulted from that temporary closing. We have a problem with that.

Some of the other issues that need to be addressed or we feel are significant to warrant some concern is the additional traffic loading that occurred at the Route 59 Smith Street intersection. As indicated in the RPPW report, an evaluation was done in detail which looked at the additional volume which was added to that intersection. During peak periods

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with these two streets open, there are significant delays along that section and because of the additional traffic they were forced to utilize that intersection resulting in a level of service which is the rating criteria going from a level of service "D" and "E" to a level of service "F" which is the worst condition in terms of a level of service. There were significant effects on that particular intersection. In addition, the closeness of the Smith Street exit to the Route 59 intersection resulted in the problems that we referred to before with the queueing within the shopping center. Vehicles were not able to get out and the traffic queued from the intersection at Route 59 resulted in the extensive queues in the center itself.

I would also like to point out that the vehicles were forced to make a right turn out of the Smith Street exit forced that traffic to pass the Middle School, the library, and the High School. At the section of that roadway, there is one turn near the access to the library where the sight distance isn't the greatest and there was an increase in traffic at that particular location and from the standpoint of those facilities being there we feel it is not a good solution to the situation.

Certain other alternates were looked at, some of which require state approval. The alternates that were looked at by the Town's consultant included connecting out the First Street through the U-Haul property. With that connection there are also related problems due to the closeness of that queue to the Route 59 intersection - again with queueing problems and resulting safety problems. The plan has been submitted. A report submitted to the State requesting full movement access or to allow an exit directly out to Route 59 and the State is still reviewing that.

In summarizing what we found, the volumes that utilize those two streets will have to be diverted, as they were during the temporary closing, to locations that are already congested - locations where there are facilities such as the schools which is not a desirable location to increase the traffic. From a safety standpoint both the general public utilizing the shopping center and other motorists along that section with the congestion and the poor levels of service, emergency vehicles would have problems at the shopping centers or getting through the Smith Street/Route 59 intersection during peak traffic loading and we feel that is an unsafe condition.

Supervisor asked in regard to the proposed exit to 59 which is now before the State in terms of review and hopefully will be reviewed by March, how would that exit impact upon the circumstances?

Mr. Greely said that the problem that occurs now is that you are limiting the exiting maneuvers from the shopping center. Depending upon what happens with the State, the provision of such an access point would basically provide you with an additional means of getting the traffic out of the shopping center. The location and destination of a lot of the trips is into the back areas so you would still end up with some circulating or redistribution around the block. By getting that additional access point out to Route 59, it would reduce the amount of exiting traffic that would have to use the Smith Street exit.

Supervisor said in discussions with the owners or managers of the shopping center this particular suggestion was that it would be considered a work permit by the State of New York. If it were approved they would consider to build on their own. In terms of the time table that means light years when you deal with the State.

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Mr. Greely said it could be done a lot faster privately.

Supervisor said in your opinion would that be beneficial to the shopping center in just ingress or egress at that point?

Mr. Greely said any time you can get a movement from a major highway like that it would in a general sense provide you better access to and from your center. It would be a positive.

Supervisor asked if the board members had any questions for the consultant or if anyone from the public wished to speak.

Appearance: Paul Di Dini
Grace Street
Nanuet

Mr. Di Dini asked the consultant what was the cause of the long queues in the shopping center? Also are you inferring that Grace Street is more capable of handling the traffic than Church Street? He said that from his experience part of the reason for the long queues is that people are trying to make a left turn out of the shopping center onto Smith, even though the sign says right turn only and that causes a lot of problems. He said he wanted to know how much of the queue was caused by that type of problem.

Appearance: Evelyn Campbell
28 Grace St.
Nanuet

She said she wanted it on record that she opposed closing Grace Street as it would devalue her property. She said you have caused the public to use her private premises as a turn-around to get out of Grace Street once they come down. The second time when you put the fence up in another location, I was denied all snow plowing and garbage collection even though she pays. She said it brought great hardship to her.

Appearance: Allan Freedman
112 Church Street
Nanuet

He said he was concerned with the closing of Grace and Orchard Streets. He said he noticed an increase of traffic on Church Street which affects the quality of his life. He said no regard was given to the Smith Street exit. He said the people of Grace and Orchard Streets are due a quality of life without traffic and he said they are entitled to have the streets closed but the residents on Church Street which equal the same number of people on Grace and Orchard Streets are entitled to the same quality of life and therefore I would like to include in the resolution that something be done to the Smith Street entrance. I would suggest, if you look at the maps that I made, that the total turning movement on and off the Smith Street exits make it rather a confusing area. If you couple that with the fact that it is right next to the 59 light with Smith Street, it's one mess. My suggestion is either to limit the access into the shopping center as an in only or eliminate the right-of-way totally. This would make it more livable where I live.

Appearance: Ms. Malinowski
67 Prospect St.
Nanuet

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She said she was opposed to those two streets being closed. She suggested straightening out 59 and get through Nanuet and Spring Valley without stopping at every light there is.

Appearance: Steve Goldman
West Nyack

Mr. Goldman said he shops at that center and he said the problem is not getting in but getting out. He said he is worried that emergency vehicles will have a problem getting in and it will possibly be the fault of the roads being closed. He said this whole area will get worse if more high density building goes up there. He said with the two streets that you want to closed the problem is getting out and not in. One possibility is having some small increment, maybe the last twenty feet interfacing the shopping center, as one way out. People that live on the street can get in or out but the people that want to get into the shopping center have to go by way of 59 to get in and yet there is an escape route out. You are free to exit but you are not free to enter the shopping center through those two streets. That might be a reasonable compromise that would serve everybody.

Appearance: Sydell Green
Attorney for the owners of shopping center

She said she would like to request that when a DEIS is prepared that she be sent a copy and she would like to request in writing a summary of her remarks. She said that the Town does not have the authority legally to close Grace and East Orchard Streets. She said she was not here to argue that tonight. That's the subject of other proceedings. However, she said she believes that even if they did have the authority after hearing all the testimony tonight and your own experts reports and the advice of your own consultants that you will believe that it is not in the public interest to close those streets. We no longer need to predict what will happen when the streets are closed because they were closed for five months and you have already heard much testimony as to the affect of the traffic pattern as a result of the closing. In addition, as a direct result of the closing of the streets, there was a decline in business in the shopping center. Because of the inconvenience of customers leaving the shopping center, many customers refused to return and many other potential customers never entered the shopping center. If the stores in the shopping center go out of business, this will cost the residents of Clarkstown jobs because a majority of the employees of the shopping center are Clarkstown residents. In addition, the rents paid to the owner of the shopping center are based on a sales percentage and if the business declines substantially enough it is possible that the shopping center might seek an abatement in their real estate taxes. She submitted a letter signed by eighteen retailers at the shopping center for the record. She said the letter basically discusses the decline in the items she just mentioned, the decline in business. She also had a letter signed by Leopold Bonime, principal of Empress Travel, also for the record. She also submitted certain affidavits in connection with the lawsuit which are public records and said for the Board's convenience she is also submitting affidavits from three of the retailers which again notes the decline in business because of the roads closing. She said those are the economic issues but she thought that more important issues are those that the people addressed and that is the human factor - the danger to the public. She said that the Town Board has an obligation to look at the welfare of the entire community. By closing those streets, the problems of the people on Grace and East Orchard Streets were merely shifted to the people who live on Church, Smith, College and the surrounding

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areas. Just as was predicted by your own experts, the congestion on Route 59 and Smith Streets is an intersection which RPPW described as already operating at or above capacity. Prior to the street closing traffic increased, became worse and Mr. Greely stated, the number of accidents increased. The firemen indicated the danger for emergencies. I also would like to point out not only is there a problem with emergency vehicles entering the shopping center but in the event of an immediate evacuation with those two roads closed, we could have a potential disaster. She said you are fighting your own Fire Commissioner, your Department of Environmental Control, the Traffic and Traffic Fire Safety Advisory Board, and the Planning Board. All recommended against closing the two streets. She said she also would like to present petitions signed by customers of the shopping center collected in four of the stores and there are approximately 750 names on the petition. She said a substantial number of people on the petition are Clarkstown residents. As far as the problem of the people on Grace and East Orchard Streets, we sympathize with them and would like to see some solutions for them that don't create a hazard for all the other residents in the area. There are laws. There are speed limit laws. Trucks are forbidden from going in there. Those laws should be enforced. Perhaps sidewalks can be constructed to permit the people to walk safely there. In summary I just want to remind the Town Board that the Town holds the public streets as a public trust for the benefit of the public. We are sympathetic but the Town Board must consider the public safety and convenience. The Town cannot favor one group of residents over another group of residents. . The increased safety of the residents of Grace and East Orchard Streets must be balanced against the increased hazards to the public at large. We cannot close the streets for the benefit of a few at the harm to the many.

Appearance: Patricia Rossi
8 Grace Street.
Nanuet.

She submitted letters from residents who are for closing the streets that are on file in the Town Clerk's Office. She said safety is the first and foremost plan for the closure of our streets. Streets cannot handle the volume. She said she was going to reference traffic study that was done on March 10th and that was done by Raymond, Parish, Pine. Volumes on non-sale days, like tomorrow. There are no sales. We had between approximately 2,000 cars coming down our street. That is just one street. On Saturdays we get between 2500 and 3,000 cars. Time frames on week days are the heaviest from 5:00 to 7:00 P.M. and on Saturdays between 12:00 and 4:00. On the weekdays, it is 240 vehicles per hour and on Saturdays, it is 300 vehicles. This does not conflict with the schools. We have already timed it and we have already tested it. We also have included the impact on the Church Street and the schools by probably not doing those hours. The shopping plaza has alternatives whereas residents do not. All the alternatives suggested and reviewed by the shopping plaza have prolonged relief to shoppers. Residents have been patient and cooperative plus compromised more than the plaza has. We accepted a delayed closing from 90 to 120 days from March 1987 to July 28th. We met with U-Haul and the Town on an exit to First Street. We drew up maps and had engineers draw up plans. The Town declared the first 40 feet Town roads so that U-Haul and American Continental properties wouldn't be liable and the alternatives used because the piece of property was valued too high. They could not use it. We met with the State Department of Transportation and Safety for the shopping plaza about the light on Route 59. Still the prolonging of the alternatives by shopping plaza continues.

Legally residential streets cannot be used as feeders into and out of commercial property. We are the last of

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the county residential streets being used for this purpose because ordinances now protect the residents. Why do we have to be the last example? What's more valuable price of land or human lives?

Economically speaking, annual salaries of businesses have nothing to do with traffic flow. Since the crash of 1987, there has been a national decline in sales. On Grace Street alone we have one street light. No drainage. Pavements haven't been resurfaced since it was first put in. There is no sound foundation under the asphalt to withstand heavy traffic. This was proven by a watermain break back in July of 1987 which closed the whole street for two full days. We find that the pipes are made of lead and have been there since the 1920's. Our streets cannot physically withstand all the pressure. Safety becomes a hazard for pedestrians. All thirty-seven plus children walk to school because bussing is not provided at this time. Our senior citizens have had their lives in severe jeopardy while walking. While Pathmark, Channel, Service Merchandise, Kids R Us, etc. conserve their overall image, our rights as individuals are being trampled over.

I sent letters to Assemblyman Bob Connor and Eugene Levy on 2/24/88. I received a letter on March 3rd from Assemblyman Connor stating that the Town Board would prefer the streets closed since they have previously taken that action. I called Eugene Levy's office and they referenced Mr. Hart with pending our meeting as of last year. I also have another letter from our mailman whose life has been in severe jeopardy since the streets have been reopened. I also have photographs and dates and times of trucks that have come down on our property. I have one truck and I have a copy of his license plates and the size of the trucks that are coming down on our property. She submitted these and they are now on file in the Town Clerk's office. She summarized by reading the following letter:

*Edward A. Young
26 Grace Street
Nanuet, N.Y. 10954

Honorable Charles Holbrook

26 Grace Street on the eastern end has been my family residence since 1955. The 325 feet on the eastern end of Grace Street was a wooded area with a stream at the end. Six residents, making the biggest investment of their lives, built homes along that 325 feet. Each paid an equal share to have a roadway created in front of their property ending at the stream making it deadend.

All homes on Grace Street were built many years before the Korvette Shopping Center was erected. Each homeowner believed his family could live in a safe, healthy, residential atmosphere. When the shopping center was being built, our quality of life was being eroded in a stealthy manner. The stream's course was altered and piped through the Center. Also, overnight the western end of the center's blacktop was connected to the roadway the residents had constructed. All these actions were taken without official Town hearings or residential notifications at that time.

The environmental impact of such actions has been enormous. The shifting of the stream has disrupted the natural drainage of surface and sub-surface water. As a result, my property has locked-in areas where water accumulates and can be a breeding place for insect pests and with 2,000 to 3,000 vehicles a day using our narrow street it has caused various pollution problems.

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We are forced to inhale the exhaust fumes affecting human and plant life. There is incessant noise of every type vehicle from motorcycles to tractor trailers. Dirt swirled by steady traffic covers the outside of the house and permeates the inside. We have various types of garbage thrown out on our properties from moving vehicles. This can be paper, plastic, or partially eaten food which then attracts rats and crows. Lately, we find among the discarded items, hypodermic needles which could be lethal to some child accidentally handling one.

With the heavy volume of traffic, safety becomes an important item. Children are required to walk to and from school and have to use the street as a walkway. One of my daughters at the age of eight was struck by a car exiting the shopping area. Fortunately, there were no head injuries, but she had hip and internal injuries. There have been other injuries through the years. A large number of seniors from Normandy Village use the street to grocery shop while getting their daily exercise.

There are also times during the year when traffic backs up the entire block and it is difficult to exit our properties. With all these detriments, the investment in our property is unjustly devaluated.

Therefore, I respectfully request the Town Board members permanently close Grace and East Orchard Streets and end the discrimination against the residents and make us first class citizens.

Respectfully,

(s) Edward A. Young"

Appearance:

David Wagner
42 Newport Drive
Nanuet.

He said that while he does not live in the immediate area that these streets service, as a resident of Newport Drive we have some of the same problems up there with through traffic and speeding. He said he can sympathize with the problems that these people have. The situation at Grace and Orchard Street is one that unfortunately has developed over the years. It creates an unfair hazard to the people who live there. He said first of all it is a very poor planning policy to use residential streets to feed commercial property. These streets were not designed for this flow of traffic. As Pat Rossi pointed out, they don't have the proper underbasing. The plumbing underneath is not adequate to support heavy truck traffic. He said this Board had previously made the right decision in closing these streets. Admittedly, there is some inconvenience to traffic. Traffic does back up but I'm sure that this Board is aware that when you weigh the inconvenience as opposed to the safety and health of the residents of these streets, I think the paramount function of a governmental body is to protect the safety, health, and welfare of the population and I think that's what comes first the safety of the people that live on these streets.

Appearance:

Rick Lowe
President of the Nanuet Chamber of
Commerce

He said he was also a shop owner in the Service Merchandise Shopping Center. He said what we heard tonight was an excellent representation by the residents of these streets - to have sidewalks put in, ban truck traffic and to look out for the public safety. The issues that have been presented by both your own traffic consultants and the traffic consultants for the

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shopping center indicate that the public safety, and we are talking about tens of thousands of cars per week that use this shopping center, is at risk. The Town has left themselves open to lawsuits. By closing off these streets they have created unsafe hazards at the Smith Street and Route 59 intersection. I have pictures of cars exiting out of one-way entrances. A head on collision is begging to happen. I have pictures of car accidents because cars three lanes wide are sweeping down into one lane trying to rush out onto 59 before the light changes again. I have pictures of cars blocking completely Smith Road between where this traffic light and the shopping center is so congested that cars back up down Route 59 as far as the Palisades Parkway. I have pictures of accidents that have occurred. If you look in your public record, the accidents in that area since we closed those streets, are up more than 100% over the same time period. If these individuals wish to bring suit against the Town for creating an unsafe intersection, the Town becomes liable. The residents of Clarkstown pay the bill. The Town has a responsibility to public safety - first and foremost. Make it a public safety issue for the entire Town, not for two streets.

The next point that I would like to make is in reference to some things that were said as to the ingress and egress of these two streets. It is my understanding from Dorothy Walk who has been a resident of these streets that many years ago when Lake Nanuet existed where the current Korvette Shopping Center is that those streets were access to that swimming area. That means that those streets have been opened in excess of thirty, forty or fifty years. The Town can look into this that the McGill property as it was known back then was given at the time that those streets were there and the shopping center came into being with ingress and egress into and out of that shopping center. I understand that the Town has no record of this. I know that the McGills' are currently living and they can be found not in Rockland County but in Florida. (there was an interruption here. Were the McGills' in the audience?) The people that currently live on those streets purchased their property knowing that they were ingress and egress. I, personally, as a shop owner resent their wanting to close those streets to increase their property value at the expense of my business. If you look to see how many of those houses have gone on sale since you closed those streets, the for sale signs still exist on them. What I'm saying to you is that there are a number of emotional issues here. If we are going to make this a public safety issue include the entire Town. Don't focus it down to the public safety of two streets versus the safety issue of the rest of the shopping center and the people that use it.

In regards to Mr. Coggans comments, there was a fire at Channel last Thursday evening at 8:00. The fire department did not know that those streets were open and travelled all the way around to come in on an access from Smith Street. If this had happened during a time period when it was congested, there is absolutely no way that they would have reached that in a reasonable time and not endangered the people using the shopping center in their cars and walking from the parking spaces to the stores.

Appearance: Mary Dolan
East Charles Street
Nanuet

She said that her street is a dead-end street between Grace and Orchard. She said she resents people backing

Continued on Next Page

into her driveway to get to the shopping center. She had her fence knocked down as a result of this. She said that this Christmas was the first time she could get off her street. She said she knew people in Normandy Village that were not against the street closing.

Appearance: Anthony Rhoda
8 Grace Street.
Nanuet.

He referred to Rick Lowe's comments about putting sidewalks and stopping the trucks. He said he called the police but the trucks don't stop. He said there was no room for sidewalks. He said that the other night when there was a fire, six fire trucks went down and six fire trucks came up and didn't go around. He felt the streets could not stay open because they are not big enough and cannot tolerate the traffic. He was worried about his child's safety.

Appearance: Al Markazy
Board of Managers/Normandy Village

He said he sympathized with the residents of the streets involved being as First Street also suffered problems similar to what has been indicated. He said if all the residents of Normandy Village said they have a problem on First Street is the Board supposed to close First Street? That's what's happening here. He asked how many people bought their homes after the shopping mall was built? He said it was up to the Board to provide sidewalks for the residents so that it would be safe to walk. He was asked by someone if he was speaking as a member of the Board of Managers of Normandy Village and replied he was.

Appearance: Keith Pickford
Van Nostrand Street.
Nanuet.

He said as far as trial and error, he didn't see that because before the roads were closed they were supposed to provide another entrance which was never done so they took two entrances instead of four cutting it in half so of course you're going to have a mass of confusion. Whereas if you had the other entrance then you would have a true trial and error. He said the most dangerous traffic as far as the schools is concerned is the Miller School. He said you need another entrance on 59 and go east and west without going on Smith Road at all. He felt you need speed bumps to cut down on the trucks that go through there.

Appearance: Tom Fagan
Valley Cottage

He said they have a company that is willing to come to West Nyack. He said they have spent over five million dollars to do studies. They are willing to do ten to fifteen million dollars in road improvements in the West Nyack area. He said his suggestion is if shopping centers are that profitable let's ask the shopping centers in Nanuet that created this hazard for the people of Nanuet to put up the ten or fifteen million dollars to do the corrective improvements on the roads in Nanuet and let's solve the problem once and for all for all the residents of Nanuet and all the residents of Clarkstown. He said let's stop fooling around with this Pyramid thing and put the shopping center where it's supposed to be in West Nyack with the right improvements.

Appearance: Phillip Quong
East Orchard Street.
Nanuet.

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He said a lot of people coming into East Orchard Street are not from the shopping center. He said they are using the shopping center as a by-pass and are using it as a shortcut. He asked the Board why there have not been any improvements in the traffic problem?

Appearance: Ted Peroi
Grace St.
Nanuet

He said the people of the Shopping Center sent a truck weighing eight to ten ton which is not permitted on the road on their street. He said his gas main in front of his home was broken by heavy trucks. He said one of his neighbors had his water pipe broken by a truck. He said the Shopping Center people sent a propane gas truck with at least forty or fifty tanks up his street going west. He said that Channel stores propane gas on a regular basis and mentioned the danger involved with explosions. He questioned how the fire started at Channel. He said the reason for all the sea gulls and crows was due to open garbage at the shopping center. He complained of the noise of the trucks and the carbon monoxide that emanates from the trucks.

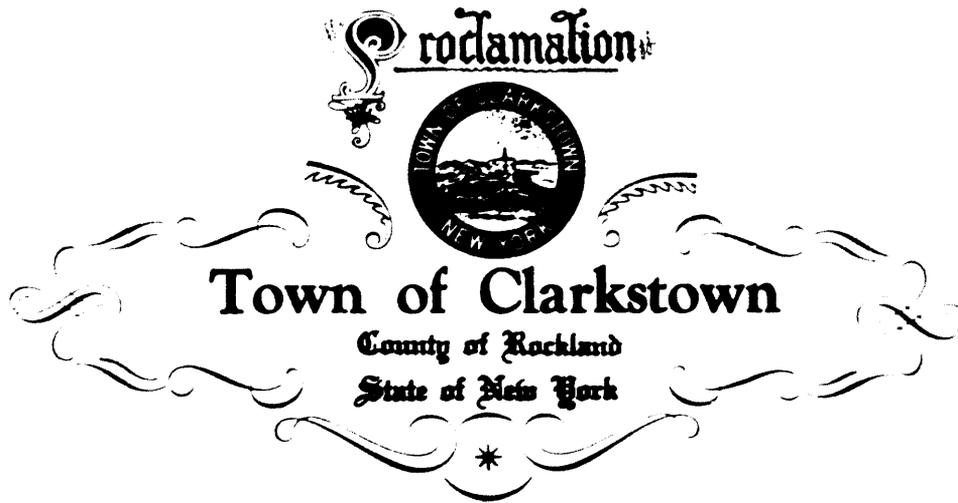
Councilman Kunis asked if the propane tanks that you discussed are the type that are used in outside barbecues?

Me. Peroi said they are the type that are used in the pickup carts or forklifts and they are regularly stored there.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared RECESSED pending the completion of the DEIS, until April 12, 1988, time: 11:00 P.M.

Respectfully submitted

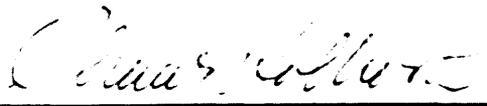

PATRICIA SHERIDAN
Town Clerk



PROCLAMATION DECLARING STATE OF EMERGENCY
DUE TO FIRE CONDITIONS

- WHEREAS, A dangerous condition exists at the Clarkstown Sanitary Landfill, at West Nyack in the Town of Clarkstown because of fire conditions; and
- WHEREAS, Such conditions constitutes a danger to the lives and property of the citizens of the Town of Clarkstown and to the public health, safety and welfare; and
- WHEREAS, The Supervisor of the Town of Clarkstown has certain powers granted to him by the Legislature of the State of New York pursuant to Article 2-B of the Executive Law to deal with such an emergency situation;
- NOW, THEREFORE, be it PROCLAIMED as follows:
1. That a state of emergency presently exists at the Clarkstown Sanitary Landfill, at West Nyack in the Town of Clarkstown.
 2. That steps be taken by the employees of the Town of Clarkstown to extinguish such fire, and that any equipment or manpower necessary be obtained from outside sources including the State of New York.
 3. This Proclamation shall take effect immediately.

IN WITNESS WHEREOF, I have
hereunto set my hand and
caused the seal of the Town
of Clarkstown to be affixed
this 3rd day of March, 1988.



Charles E. Holbrook, Supervisor



PROCLAMATION DECLARING STATE OF EMERGENCY
DUE TO FIRE CONDITIONS

- WHEREAS, A dangerous condition still exists at the Clarkstown Sanitary Landfill, at West Nyack in the Town of Clarkstown because of fire conditions; and
- WHEREAS, Such conditions constitutes a danger to the lives and property of the citizens of the Town of Clarkstown and to the public health, safety and welfare; and
- WHEREAS, The Supervisor of the Town of Clarkstown has certain powers granted to him by the Legislature of the State of New York pursuant to Article 2-B of the Executive Law to deal with such an emergency situation;

NOW, THEREFORE, be it PROCLAIMED as follows:

1. That a state of emergency presently exists at the Clarkstown Sanitary Landfill, at West Nyack in the Town of Clarkstown.
2. That steps be taken by the employees of the Town of Clarkstown to extinguish such fire, and that any equipment or manpower necessary be obtained from outside sources including the State of New York.
3. This Proclamation shall take effect immediately.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Clarkstown to be affixed this 11th day of March, 1988.


Charles E. Holbrook, Supervisor