

Town Hall

3/22/88

8:00 P.M.

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

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

Supervisor presented a proclamation regarding school
bus safety as follows:

"SCHOOL BUS SAFETY MONTH"
TOWN OF CLARKSTOWN
APRIL, 1988

- WHEREAS, The Town of Clarkstown is very concerned about the school bus accidents which have recently occurred in Rockland County, and
- WHEREAS, these tragic incidents have emphasized the importance of school bus safety in all our communities, and
- WHEREAS, the men and women who drive our school buses are cognizant of the tremendous responsibility which they have undertaken and are concerned with providing the greatest safety measures possible to ensure that our children's lives are adequately protected, and
- WHEREAS, in recognition of this, during the month of April, when New York State mandated bus drills are conducted, the Clarkstown Central School District will be conducting "additional extended school bus safety," and
- WHEREAS, our children are our most precious resource and therefore we urge all our residents to join with the Town of Clarkstown and the Clarkstown Central School District in taking a strong stand on the enforcement of school bus safety,

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all the residents of Clarkstown, hereby proclaim the month of April 1988 as "SCHOOL BUS SAFETY MONTH" in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED THIS 22ND
DAY OF MARCH, 1988.

/s/ Charles E. Holbrook

S E A L

CHARLES E. HOLBROOK, Supervisor
Town of Clarkstown

Mr. Edward Ghiazza, Superintendent of Recreation and Parks, presented a Community Service Award to the Clarkstown Garden Club. Mr. Ghiazza mentioned the maintenance of Kevin Landau Park and Exit 10 of the Palisades Parkway. Mrs. Rita Quirk, President, accepted on behalf of the Clarkstown Garden Club.

Supervisor Holbrook declared the public portion of the meeting open.

ABF478

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

Mr. Lodico spoke regarding improvements to Red Hill Road, New City especially noting the proximity to Link Elementary School.

Mr. Lodico also questioned the expenditure of \$45.00 by the Town to correct some wires which had fallen as the result of the snowfall and he felt it was improper and did not set a good precedent.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein spoke regarding the increased density of residential zones which the Town Board is going to be considering. He cited the condominiums along Route 304 (near the Allstate Insurance Office). He asked the Town Board if they had considered floor area ratio instead of the number of units?

RESOLUTION NO. (274-1988)

SETTING PUBLIC HEARING AND
REFERRING TO THE COUNTY
PLANNING BOARD AMENDMENTS
TO THE ZONING ORDINANCE OF
THE TOWN OF CLARKSTOWN RE:
MF-4 ZONE

Co. Smith offered the following resolution:

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 10th day of May, 1988, at 8:00 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the Journal News, the official newspaper of the Town, as aforesaid, and file proof thereof in the office of the said clerk, and be it

FURTHER RESOLVED, 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 Section 106-5 A. Establishment of districts from:

"A. The Town of Clarkstown is hereby divided into the following districts, the respective symbol for each type of district being set forth opposite its title:

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RESOLUTION NO. (274-1988) Continued

<u>Symbol</u>	<u>Title</u>
R-80	Low Density Residence (80,000 square feet)
R-40	Low Density Residence (40,000 square feet)
R-22	Medium Density Residence (22,500 square feet)
R-15	Medium Density Residence (15,000 square feet)
R-10	Medium High Density Residence (10,000 square feet)
RG-1	General Residence, Low Denisty
RG-2	General Residence, Medium Density
L0	Laboratory Office
PO	Professional Office
LS	Local Shopping
CS	Community Shopping
MRS	Major Regional Shopping
LIO	Light Industrial Office
M	Manufacturing
PED	Planned Economic Development
R-160	Conservation Density Residence
MF-1	Multifamily
MF-2	Multifamily
MF-3	Multifamily"

to read as follows:

"A. The Town of Clarkstown is hereby divided into the following districts, the respective symbol for each type of district being set forth opposite its title:

<u>Symbol</u>	<u>Title</u>
R-80	Low Density Residence (80,000 square feet)
R-40	Low Density Residence (40,000 square feet)
R-22	Medium Density Residence (22,500 square feet)
R-15	Medium Density Residence (15,000 square feet)
R-10	Medium High Density Residence (10,000 square feet)
RG-1	General Residence, Low Denisty
RG-2	General Residence, Medium Density
L0	Laboratory Office
PO	Professional Office
LS	Local Shopping
CS	Community Shopping
MRS	Major Regional Shopping
LIO	Light Industrial Office
M	Manufacturing
PED	Planned Economic Development
R-160	Conservation Density Residence
MF-1	Multifamily
MF-2	Multifamily
MF-3	Multifamily
MF-4	Multifamily"

Amend Section 106-6. Purpose of districts:
by adding R.

"R. MF-1, MF-2, MF-3, and MF-4: The multi-family MF-1, MF-2, MF-3 and MF-4 zones are established in order to provide additional housing opportunities in attached housing developments. These zones are designed for areas which can provide local services necessary to support relatively intensive housing development and where such developments will be compatible with the existing scale of development. As such, these zones are intended to be located in the dense portions of the Town's hamlets. In addition, the MF-4 district is intended to reduce potential traffic in the Route 59 corridor area, as well as provide expanded housing opportunities."

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ABF478

RESOLUTION NO. (274-1988) Continued

Amend Section 106-19 E (2). Spacing of buildings from:

"(2) Location of detached accessory buildings. No detached accessory building shall be closer to any principal building than a distance equal to the height of such accessory building, and in no event less than fifteen (15) feet."

to read as follows:

"(2) Location of detached accessory buildings. No detached accessory building shall be closer to any principal building than a distance equal to the height of such accessory building, and in no event less than fifteen (15) feet. Notwithstanding the above, accessory buildings in MF districts may abut principal buildings, but if detached, shall not be less than 15 feet."

Amend Section 106-19 F from:

"Additional regulations concerning MF-1, MF-2 and MF-3 Districts shall be as follows:"

to read as follows:

"Additional regulations concerning MF-1, MF-2, MF-3, and MF-4 Districts shall be as follows:"

Amend Section 109-19 F (1) from:

"Minimum overall lot area: forty thousand (40,000) square feet.

to read as follows:

"Minimum overall lot area: forty thousand (40,000) square feet for MF-1, MF-2 and MF-3, and eighty thousand (80,000) square feet for MF-4."

Amend Section 106-19 F (2) Density from:

<u>"District</u>	<u>Square Feet of Land Area/Unit</u>	<u>Units/Acre</u>	<u>Bedrooms in Unit</u>
MF-1	5,500	7.9	Efficiency
	7,250	6.0	1
	9,000	4.8	2
	10,750	4.0	3 or more
MF-2	3,350	13.0	Efficiency
	3,800	11.5	1
	4,300	10.0	2
	4,800	9.1	3 or more
MF-3	2,400	18.1	Efficiency
	2,800	15.6	1
	3,200	13.6	2
	3,600	12.1	3 or more"

to read as follows:

<u>"District</u>	<u>Square Feet of Land Area/Unit</u>	<u>Units/Acre</u>	<u>Bedrooms in Unit</u>
MF-1	5,500	7.9	Efficiency
	7,250	6.0	1
	9,000	4.8	2
	10,750	4.0	3 or more

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RESOLUTION NO. (274-1988) Continued

MF-2	3,350	13.0	Efficiency
	3,800	11.5	1
	4,300	10.0	2
	4,800	9.1	3 or more
MF-3	2,400	18.1	Efficiency
	2,800	15.6	1
	3,200	13.6	2
	3,600	12.1	3 or more"
MF-4	1,815	24	1
	2,074	21	2
	2,293	19	3 or more"

Amend Section 106-19 F (3) from:

"3. Maximum coverage, all buildings, including accessory buildings, shall not cover more than twenty percent (20%) of the area of the lot."

to read as follows:

"3. Maximum coverage, all buildings, including accessory buildings, shall not cover more than twenty percent (20%) of the area of the lot for MF-1, 2 and 3. For MF-4, maximum coverage shall not exceed twenty-five percent (25%) of the area of the lot. Recreational building shall not be included within this computation."

Amend Section 106-19 F (5) from:

"Required yards. (This refers to the distance to exterior property lines of the overall sites.) Setbacks shall be required as follows. (Where any required yard abuts any existing or proposed street, the yard shall be measured from the width shown on the Official Map.)

(a) Front yards (shall be measured from the width of the Official Map).

(1) Not less than twenty-five (25) feet from any private street.

(2) Not less than fifty (50) feet from any public street.

(3) Not less than one hundred (100) feet from any state highway.

(b) Side yards.

(1) For all dwellings, not less than fifty (50) feet.

(2) All residences with an attached or separate garage opening into a side yard shall leave a minimum of thirty (30) feet of side yard for access thereto.

(c) Rear yards: not less than fifty (50) feet."

to read as follows:

"Required yards. (This refers to the distance to exterior property lines of the overall sites.) Setbacks shall be required as follows. (Where any required yard abuts any existing or proposed street, the yard shall be measured from the width shown on the Official Map.)

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RESOLUTION NO. (274-1988) Continued

(a) Front yards.

(1) Not less than twenty-five (25) feet from any private street.

(2) Not less than fifty (50) feet from any public street.

(3) Not less than one hundred (100) feet from any state highway.

(4) In the MF-4 District, not less than thirty (30) feet from any lot line shall be provided whenever no parking is located between a lot line and a building.

(b) Side yards.

(1) For all dwellings, not less than fifty (50) feet.

(2) All residences with an attached or separate garage opening into a side yard shall leave a minimum of thirty (30) feet of side yard for access thereto.

(3) In the MF-4 District, not less than thirty (30) feet from any lot line shall be provided whenever no parking is located between a lot line and a building.

(c) Rear yards: not less than fifty (50) feet.

(1) In the MF-4 District, not less than thirty (30) feet from any lot line shall be provided whenever no parking is located between a lot line and a building."

Amend Section 106-19F (6) from:

"(6) Height (maximum building height in inches per foot of distance from lot line): nine (9) inches: but no greater than three (3) stories or thirty-five (35) feet."

to read as follows:

"(6) Height (maximum building height in inches per foot of distance from lot line): nine (9) inches: but no greater than three (3) stories or thirty-five (35) feet for MF-1, 2 and 3. Notwithstanding the provisions of Section 106-19C, for MF-4 the maximum building height shall not exceed three (3) stories, excluding height of parking area located below residential floor areas, but shall not be over forty feet (40) above grade, including one half (1/2) of a gable or peaked roof area."

Amend Section 106-19 F (7) from:

"Distance between buildings. The distance between any two (2) principal building structures shall be not less than the height of the tallest of the two (2) buildings. The distance between any principal structure and any accessory building or between two (2) detached accessory buildings shall be not less than twenty (20) feet. However, any other provision notwithstanding, a minimum distance of sixty (60) feet shall be maintained between the center of any window in a habitable space other than a window in a bathroom or kitchen and any wall of the same or of another structure, the plane of which is parallel to or which intersects the plane of the wall in which said window is located at an angle of less than ninety degrees (90), such distance being measured in horizontal projection at the sill level of said window."

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RESOLUTION NO. (274-1988) Continued

to read as follows:

"Distance between buildings. The distance between any two (2) principal building structures shall be not less than the height of the tallest of the two (2) buildings. The distance between any principal structure and any accessory building or between two (2) detached accessory buildings shall be not less than twenty (20) feet for MF-1, 2 and 3, but shall not be less than thirty (30) feet in any MF-4 District, and no parking shall be located within this area. However, any other provision notwithstanding, a minimum distance of sixty (60) feet shall be maintained between the center of any window in a habitable space other than a window in a bathroom or kitchen and any wall of the same or of another structure, the plane of which is parallel to or which intersects the plane of the wall in which said window is located at an angle of less than ninety degrees (90o), such distance being measured in horizontal projection at the sill level of said window. Notwithstanding the above, this dimension shall not be less than fifty (50) feet in any MF-4 zone."

Amend Section 106-19 F (8) from:

"Accessory buildings, accessory structures and accessory uses. The area occupied by accessory buildings or structures shall be included in computing the maximum percentage of the lot area which may be utilized for buildings."

to read as follows:

"(8) Accessory buildings, accessory structures and accessory uses. The area occupied by accessory buildings or structures shall be included in computing the maximum percentage of the lot area which may be utilized for buildings. Notwithstanding the above, recreational buildings and structures in the MF-4 District shall not be so included."

Amend Section 106-19 F (9) from:

"Continuation of nonconforming buildings and nonconforming uses is multifamily (MF-1, MF-2 and MF-3) districts. The following regulations shall apply to nonconforming buildings and uses in the multifamily (MF-1, MF-2, and MF-3) districts:

(a) Definitions. For purposes of this section, a "nonconforming building" in the multifamily (MF-1, MF-2 and MF-3) districts shall be a building which does not conform to the bulk requirements set forth herein. A "nonconforming use" shall be a use which does not conform to the permitted use requirements set forth herein. In addition, such nonconforming building or use shall have lawfully existed in an RG-1 or RG-2 District prior to the adoption of this section of the Zoning Ordinance of the Town of Clarkstown, New York, and the use or building shall be maintained following the adoption of this section.

(b) Conditions governing nonconforming buildings and uses in the multifamily (MF-1, MF-2 and MF-3) districts.

to read as follows:

"Continuation of nonconforming buildings and nonconforming uses is multifamily (MF-1, MF-2, MF-3 and MF-4) districts. The following regulations shall apply to nonconforming buildings and uses in the multifamily (MF-1, MF-2, MF-3 and MF-4) districts:

(a) Definitions. For purposes of this section, a "nonconforming building" in the multifamily (MF-1, MF-2 and MF-3) districts shall be a building which does not conform to the bulk

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RESOLUTION NO. (274-1988) Continued

requirements set forth herein. A "nonconforming use" shall be a use which does not conform to the permitted use requirements set forth herein. In addition, such nonconforming building or use shall have lawfully existed in an RG-1 or RG-2 District prior to the adoption of this section of the Zoning Ordinance of the Town of Clarkstown, New York, and the use or building shall be maintained following the adoption of this section.

(b) Conditions governing nonconforming buildings and uses in the multifamily (MF-1, MF-2, MF-3 and MF-4) districts.

Amend Section 106-19 (F) to add Item (10)

"Additional requirements for the MF-4 district:

(a) All MF-4 districts shall be located entirely within the area comprising the Route 59 Corridor Study as defined by Local Law No.7-1985.

(b) All MF-4 districts shall directly front upon, and receive primary driveway access, from a State or County Road.

(c) All MF-4 districts shall be located not more than 1500 feet of a shopping area, as measured from the closest points of lot lines, and measured along a paved sidewalk.

(d) All MF-4 districts shall have been zoned RS or CS immediately prior to the initial date of adoption by the Town Board of the MF-4 district regulations.

(e) No efficiency units, or units without a separate room designated and intended primarily for use as a bedroom, shall be permitted in any MF-4 district.

(f) Not more than fifty percent (50%) of all dwellings shall be one bedroom units in any MF-4 district.

Amend General Use Regulations, Table 19, as follows:

Add "MF-4" as appropriate on the Cover Page and in Column 1.

Amend General Use Regulations Table 19, Column 8, Item 6 (c) from:

"6.(c) In an MF-1 District, 25% of the entire tract shall be reserved as usable open space for use by all residents of the development or, at the request of the applicant, prior to final site plan approval and subject to acceptance by the Town Board upon recommendation of the Parks Board and Recreation Commission, may be offered for dedication, in whole or in part, to the Town. Such usable open space, exclusive of any off-street parking areas and access driveways or any other paved areas, shall have no dimension of less than 30 feet except for access, and the location thereof shall be subject to approval of the Planning Board. The community building and recreation facilities may be located within the usable open space. In an MF-2 District, the above percentage shall be 15%. In an MF-3 District, the above percentage shall be 10%. Density shall be established prior to the identification of usable open space."

to read as follows:

"6.(c) In an MF-1 District, 25% of the entire tract shall be reserved as usable open space for use by all residents of the development or, at the request of the applicant, prior to final site plan approval and subject to acceptance by the Town Board upon recommendation of the Parks Board and Recreation Commission,

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RESOLUTION NO. (274-1988) Continued

may be offered for dedication, in whole or in part, to the Town. Such usable open space, exclusive of any off-street parking areas and access driveways or any other paved areas, shall have no dimension of less than 30 feet except for access, and the location thereof shall be subject to approval of the Planning Board. The community building and recreation facilities may be located within the usable open space. In an MF-2 District, the above percentage shall be 15%. In an MF-3 and MF-4 Districts, the above percentage shall be 10%. Density shall be established prior to the identification of usable open space."

**Amend General Use Regulations Table 19, Column 8,
Item 6 (f) from:**

"6.(f) Open parking areas, (not including access driveways) shall not be closer than 20 feet to any building or lot line."

to read as follows:

"6.(f) In the MF-1, MF-2 and MF-3 districts, open parking areas, (not including access driveways) shall not be closer than 20 feet to any building or lot line. "In the MF-4 district, no open at grade 90 degree parking shall be within 20 ft. of any lot line, and no open parallel parking areas shall be within 10 ft. of any lot line, and no at grade parking shall be within 10 ft. of any building."

**Amend General Use Regulations Table 19, Column 8,
Item 6 (g) from:**

"6.(g) No active exterior recreation facility, such as, but not limited to, a swimming pool (to edge of fence), tennis court or other recreation facility, shall be closer than 30 feet to any building or 50 feet to any lot line or be between a building line and a public street. Locker rooms and other supporting facilities may be within a building. All active recreation facilities shall be considered buildings for purposes of the distance requirement between buildings.

to read as follows:

"6.(g) No active exterior recreation facility, such as, but not limited to, a swimming pool (to edge of fence), tennis court or other recreation facility, shall be closer than 30 feet to any building or 50 feet to any lot line or be between a building line and a public street. Locker rooms and other supporting facilities may be within a building. All active recreation facilities shall be considered buildings for purposes of the distance requirement between buildings. Notwithstanding the above, in an MF-4 district, all accessory recreation facilities may be attached to principal buildings."

**Amend General Use Regulations Table 19, Column 8,
Item 6 (n) from:**

"6.(n) There shall be not more than 8 units in any building."

to read as follows:

"6.(n) There shall be not more than 8 units in any building. Notwithstanding this provision, there shall be no limit on number of units in any building within an MF-4 district, and typical building length should generally not exceed 160 feet."

**Amend General Use Regulations Table 19, Column 8,
Item 6 (r) from:**

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RESOLUTION NO. (274-1988) Continued

"6.(r) The property shall have frontage on and access from a public street or streets."

to read as follows:

"6.(r) The property shall have frontage on and access from a public street or streets. Notwithstanding the above, frontage and primary driveway access to property in an MF-4 district shall be from a State or County road."

Amend General Use Regulations Table 19, Column 8, Item 7 (g) from:

"7.(g) Proposed building configuration, which shall show, for town houses, staggered rooflines and front facade."

to read as follows:

"7.(g) Proposed building configuration, which shall show, for town houses, staggered rooflines and front facade. In the MF-4 district building facades shall be staggered not less than one (1) foot in depth for each 50 ft. of building length."

Amend General Use Regulations Table 19, Column 8, Item 7 by adding (t):

"7.(t) For MF-4 districts the following shall apply:

(i) Planted and landscaped berms shall be required where the Planning Board determines such screening is necessary.

(ii) The Planning Board shall require the site plan, or parts thereof, to be drawn to a scale of 1"=10', when necessary, to allow detailed review of items of important detail, including utilities, sidewalks, lighting, parking, etc.

(iii) Color renderings, showing the proposed structures in relation to adjoining properties, may be required by the Planning Board."

Amend General Use Regulations Table 19, Column 8, Item 7 by adding (u):

"7.(u) All outdoor utility equipment, including gas, electric meters, lighting, and directory signs shall be shown."

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. (275-1988)

AMENDING RESOLUTION NO.
272-1988 AUTHORIZING
SUPERVISOR TO SIGN LEASE
AGREEMENT WITH PAT ROBINSON
(21 DEMAREST AVENUE, NEW
CITY)

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RESOLUTION NO. (275-1988) continued

Co. Maloney 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

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. 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. (276-1988)

AUTHORIZING TOWN ATTORNEY
TO DEFEND A PROCEEDING
CONGERS CIVIC ASSOCIATION
INC. AND ELLEN VOGEL VS.
ZONING BOARD OF APPEALS

Co. Maloney offered the following resolution:

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

CONGERS CIVIC ASSOCIATION, INC.
and ELLEN VOGEL

-against-

JOHN DIANIS, Chairman, WILLIAM NIEHAUS,
ELIZABETH J. SQUILLACE, ARNOLD AMSTER,
PENNY LEONARD, DAVID KRAUSHAAR, JOHN FELLA,
constituting the ZONING BOARD OF APPEALS
of the TOWN OF CLARKSTOWN

NOW, THEREFORE, be it

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

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

ABF478

RESOLUTION NO. (277-1988)

SETTING PUBLIC HEARING TO
CONSIDER DESIGNATION OF
HISTORICAL SITE (MAP 110,
BLOCK A, LOT 2.5) - 18
GILCHREST ROAD, CONGERS

Co. Smith offered the following resolution:

WHEREAS, it has been proposed that the house located at 18 Gilchrest Road, Congers, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 110, Block A, Lot 2.5, be designated as an Historical Site pursuant to Chapter 12-3(C) of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 26th day of April, 1988 at 8:00 P.M., to consider the designation of the aforesaid property as an Historical Site, and be it

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

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. (278-1988)

AUTHORIZING TOWN LAW
280-a(4) LAZARE
SUBDIVISION, NEW CITY -
OPEN DEVELOPMENT AREA

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 east side of Buena Vista Road, New City, New York, more specifically designated on the Clarkstown Tax Map as Map 24, Block A, Lot 18, which property may be subdivided as a result of the application of Paul Lazare, 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 "Minor Subdivision of Lands of Lazare", Town of Clarkstown, Rockland County, New York, dated July 15, 1987, last revised January 27, 1988, drawn by Henry Horowitz, Inc., Civil Engineers and Land Planning Consultants, West Nyack, New York, 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 declarations and covenants:

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RESOLUTION NO. (278-1988) Continued

A. That the property owner acknowledges that access to the nearest public road has been obtained by private driveway, 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 the fee ownership of the driveway up to the southerly line of said driveway shall be vested in the abutting lot owner;

C. That the declaration shall contain provision for an easement and maintenance agreement to provide for regular maintenance, repair, snow plowing and other necessary services on the driveway by the owners and sharing of the cost of same on an equitable basis;

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

E. That in the event the property owner(s) at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the driveway 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 driveway and any property adjacent thereto to accomplish the widening of the driveway 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 improvement district being assessed in accordance with the provisions of Town Law.

F. That at such time as Lot 1 is further subdivided, driveway for Lot 2 may be relocated.

3. 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 Certificate of Occupancy are subject to the Declaration of Covenants herein required, and that no further subdivision development or building permit shall be issued on Lot 1 without prior Planning Board approval.

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. (279-1988)

ACCEPTING ROAD AND
IMPROVEMENTS IN TOWN OF
CLARKSTOWN (STARKE CORNER)-
CONRAD LANE

Co. Carey offered the following resolution:

Continued on Next Page

ABF478

RESOLUTION NO. (279-1988) Continued

RESOLVED, that upon the recommendation of the Superintendent of Highways, the Director of Environmental Control and the Town Attorney of the Town of Clarkstown, the following documents conveying a road and easements and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "STARKE CORNER," filed in the Rockland County Clerk's Office on February 25, 1985, in Book No. 103 at Page 19 as Map No. 5712 are hereby accepted by the Town of Clarkstown and ordered recorded in the Rockland County Clerk's Office upon receipt of a continuation report of clear title to date of recording:

Deed dated February 7, 1985, from Narlan Development Corp. for Conrad Lane - 585 L.F.

Easement agreement dated February 7, 1985, from Narlan Development Corp. for a sanitary sewer and drainage easement affecting Lots No. 6 and 7.

Easement agreement dated February 7, 1985, from William D. Maxwell and Lillian Maxwell for a drainage easement affecting the south side of Lot No. 1.

Easement agreement dated February 6, 1985, from John H. Starke and Deane Starke for a drainage easement affecting the north side of Lot No. 2.

and be it

FURTHER RESOLVED, that the agreement guaranteeing the road and improvements for a period of one (1) year, with security posted by the developer in the amount of \$2,600 is hereby accepted, and be it

FURTHER RESOLVED, that the written guarantee with security posted by the developer in the sum of \$500.00 for the completion of certain items is hereby accepted.

Seconded by Co. Maloney

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

RESOLUTION NO. (280-1988)

AUTHORIZING SUPERVISOR TO
SIGN TERMINATION AND
CANCELLATION OF CONVEYANCE
(GOLD-ELL HEIGHTS)

Co. Carey offered the following resolution:

WHEREAS, deeds conveying public improvements to the Town of Clarkstown required in connection with final approval of a subdivision to be known as GOLD-ELL HEIGHTS (SD 135-D-14.03) were inadvertently recorded in the Rockland County Clerk's Office without the knowledge of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and hereby is authorized to sign a Termination and Cancellation of Conveyance for the purpose of having the documents made null and void.

Seconded by Co. Maloney

Continued on Next page

RESOLUTION NO. (280-1988) 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. (281-1988)

ACCEPTING DEED FOR ROAD
WIDENING STRIP ALONG SOUTH
MOUNTAIN ROAD, NEW CITY
FROM BARRY AND BARBARA
LEWIS (LEVY MINOR
SUBDIVISION)

Co. Kunis offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control and the Town Attorney, deed dated November 20, 1987, from Barry Lewis and Barbara Lewis gratuitously conveying a road widening strip along South Mountain Road, New City, (Levy Minor Subdivision) is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (282-1988)

DECREASING CONTINGENCY
ACCOUNT NO. A 199-505 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 8511-319
(COMMUNITY BEAUTIFICATION-
MISC. SUPPLIES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 199-505 and increase Appropriation Account No. A 8511-319 (Community Beautification-Misc. Supplies) by \$2,500.00.

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. (283-1988)

DECREASING APPROPRIATION
ACCOUNT NO. A 1640-311

Continued on Next Page

ABF478

RESOLUTION NO. (283-1988) Continued

TOWN GARAGE-GASOLINE) AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1640-111
(OVERTIME)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
1640-311 (Town Garage - Gasoline) and increase Appropriation Account
No. A 1640-111 (Overtime) by \$525.00.

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. (284-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BIDS #38-1988
(FOOD PRODUCTS), #39-1988
(SOFT DRINKS) AND #40-1988
(ICE CREAM) ALL FOR TOWN
REFRESHMENT STANDS

Co. Maloney offered the following resolution:

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

BID #38-1988 - FOOD PRODUCTS-TOWN REFRESHMENT STANDS
BID #39-1988 - SOFT DRINKS-TOWN REFRESHMENT STANDS
BID #40-1988 - ICE CREAM-TOWN REFRESHMENT STANDS

bid to be returnable to the office of the Director of Purchasing, 10
Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 25,
1988 at which time bids will be opened and read, and be it

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

Seconded by Co. 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. (285-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #46-1988 -
PICK-UP TRUCKS FOR
CLARKSTOWN HIGHWAY
DEPARTMENT

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (285-1988) Continued

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

BID #46-1988
PICK-UP TRUCKS FOR CLARKSTOWN HIGHWAY DEPARTMENT

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 8, 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. (286-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #47-1988 -
REPAIRS TO CATERPILLAR 973
FOR SANITARY LANDFILL

Co. Maloney offered the following resolution:

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

BID #47-1988
REPAIRS TO A CATERPILLAR 973 FOR SANITARY LANDFILL

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 11, 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. (287-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #48-1988 -
CHEMICALS

Co. Maloney offered the following resolution:

Continued on Next Page

ABF478

RESOLUTION NO. (287-1988) Continued

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

BID #48-1988
CHEMICALS

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 15, 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. (288-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #49-1988 - BUS TRANSPORTATION FOR RECREATION & PARKS DEPT.

Co. Maloney offered the following resolution:

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

BID #49-1988
BUS TRANSPORTATION FOR RECREATION & PARKS DEPT.

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, April 22, 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. (289-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #50-1988 - HONOR GUARD BLOUSES FOR CLARKSTOWN POLICE DEPARTMENT

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (289-1988) Continued

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

BID #50-1988
HONOR GUARD BLOUSES FOR CLARKSTOWN POLICE DEPT.

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 18, 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

ABF478

RESOLUTION NO. (290-1988)

AMENDING RESOLUTION NO.
133-1988 REGARDING BID
#30-1988 - SALE OF SURPLUS
VEHICLES/EQUIPMENT

Co. Maloney offered the following resolution:

RESOLVED, that Town Board resolution #133-1988 relating to the Sale of Surplus Vehicles is hereby amended to read:

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

BID #30-1988
SALE OF SURPLUS VEHICLES/EQUIPMENT

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, April 19, 1988 at which time bids will be opened and read, and be it

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

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. (291-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #51-1988 -
ARTS & CRAFTS SUPPLIES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (291-1988) Continued

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

BID #51-1988
ARTS & CRAFTS SUPPLIES

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, April 18, 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. (292-1988)

REJECTING ALL BIDS AND
AUTHORIZING DIRECTOR OF
PURCHASING TO READVERTISE
FOR BIDS FOR BID #22A-1988
- 1988 FORD L8000 DUMP
TRUCKS EQUIPPED WITH FRINK
SALT SPREADERS & SNOW PLOWS

Co. Maloney offered the following resolution:

WHEREAS, the Highway Department has been standardizing its parts and equipment in the interest of efficiency and economy, and

WHEREAS, the Highway Department has found Frink Salt Spreaders and Snow Plows to best satisfy its standarization requirements and the bulk of the highway equipment is Frink equipment, and

WHEREAS, it is in the best interests of the Town to bid on Frink Salt Spreaders and Snow Plows in the interest of standarization and efficiency,

NOW, THEREFORE, be it

RESOLVED, that all bid proposals received for bid #22-1988 are hereby rejected, and be it

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

BID #22A-1988
1988 FORD L8000 DUMP TRUCKS EQUIPPED
WITH FRINK SALT SPREADERS & SNOW PLOWS

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, April 14, 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.

Continued on Next Page

RESOLUTION NO. (292-1988) Continued

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. (293-1988)

ACCEPTING DEDICATION OF
ROAD - SOUTH HARRISON
AVENUE, CONGERS

Co. Maloney offered the following resolution:

WHEREAS, South Harrison Avenue is shown on a map of a portion of Harrison Avenue, Congers, dated June 30, 1986, prepared by the Department of Environmental Control of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts dedication of 450 L.F. of South Harrison Avenue more particularly described on the attached Schedule "A".

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

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. (294-2988)

ACCEPTING DEDICATION OF
ROAD - NORTH FAIRVIEW AVENUE

Co. Kunis offered the following resolution:

WHEREAS, North Fairview Avenue, Nanuet, New York, is shown on a map of Nanuet Heights prepared by Frederick Washburn dated 1917 and filed in the Rockland County Clerk's Office on July 17, 1924, in Book 31 at Page 658 as Map No. 741, and

WHEREAS, such filing constitutes an offer of dedication to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts dedication of North Fairview Avenue running north from its intersection with the northerly side of Prospect Avenue, 1,043 feet, more or less.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

ABF478

RESOLUTION NO. (294-1988) Continued

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

RESOLUTION NO. (295-1988)

RECOGNIZING THE APPOINTING
BY THE POLICE COMMISSION OF
POLICE OFFICER - POLICE
DEPARTMENT (KEITH
GARRABRANT)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #84200 Police Officer which
contains the name of Keith Garrabrant,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
(permanent) appointment by the Police Commission of Keith
Garrabrant, 293 Brookway Avenue, Valley Cottage, New York, as a
Police Officer - Police Department - at the current 1988 annual
salary of \$30,692.00, effective and retroactive to February 29, 1988.

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. (296-1988)

RECOGNIZING THE APPOINTMENT
BY THE POLICE COMMISSION OF
POLICE OFFICER - POLICE
DEPARTMENT (KENNETH SMITH)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #84200 Police Officer which
contains the name of Kenneth Smith,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
(permanent) appointment by the Police Commission of Kenneth Smith,
31 Pondview Drive, Congers, New York, as a Police Officer - Police
Department - at the current 1988 annual salary of \$30,692.00,
effective and retroactive to February 29, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (297-1988)

RECOGNIZING THE APPOINTMENT
BY THE POLICE COMMISSION OF
POLICE OFFICER - POLICE
DEPARTMENT (CHRISTOPHER
MCCRUDDEN)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel office has
furnished Certification of Eligibles #84200 Police Officer which
contains the name of Christopher McCrudden,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
(contingent permanent) appointment by the Police Commission of
Christopher McCrudden, 27 Badger Street, New City, New York, as a
Police Officer - Police Department - at the current 1988 annual
salary of \$30,692.00, effective and retroactive to February 29, 1988.

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. (298-2988)

RECOGNIZING THE APPOINTMENT
BY THE POLICE COMMISSION OF
POLICE OFFICER - POLICE
DEPARTMENT (CHRISTOPHER
PALACIOS)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has
furnished Certification of Eligibles #84200 Police Officer which
contains the name of Christopher Palacios,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the
(contingent permanent) appointment by the Police Commission of
Christopher Palacios, 546 Westfield Drive, Valley Cottage, New York,
as a Police Officer - Police Department - at the current 1988 annual
salary of \$30,692.00, effective and retroactive to February 29, 1988.

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. (299-1988)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF POLICE
SERGEANT - POLICE
DEPARTMENT (GEORGE M.
ROSCOE)

ABF478

RESOLUTION NO. (299-1988) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the resignation (by retirement) of George M. Roscoe, 693 South Mountain Road, New City, New York - Police Sergeant - Police Department - is hereby accepted effective and retroactive to March 11, 1988 (midnight).

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. (300-1988)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF POLICE
OFFICER - POLICE DEPARTMENT
(JOHN MCCABE)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation (by retirement) of John McCabe, 9 Palmer Avenue, Nanuet, New York - Police Officer - Police Department - is hereby accepted effective March 26, 1988 (midnight).

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. (301-1988)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF AUTOMOTIVE
MECHANIC I & MOTOR
EQUIPMENT OPERATOR II -
SANITARY LANDFILL (GEORGE
RIST)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation (by retirement) of George Rist, 7 Hillman Place, Spring Valley, New York - Automotive Mechanic I & Motor Equipment Operator II - Sanitary Landfill - is hereby accepted effective March 24, 1988.

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. (302-1988)

APPOINTING TO THE POSITION
OF AUTOMOTIVE MECHANIC I &
MOTOR EQUIPMENT OPERATOR II
- SANITARY LANDFILL
(JEFFERY HLADIK)

Co. Maloney offered the following resolution:

RESOLVED, that Jeffery Hladik, 602 Sickles Avenue,
Nyack, New York, is hereby appointed to the position of (temporary)
Automotive Mechanic I & Motor Equipment Operator II - Sanitary
Landfill - for a period not to exceed 30 days, pending completion of
a satisfactory pre-employment physical examination - at the current
1988 annual salary of \$18,818.00, effective and retroactive to March
21, 1988.

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. (303-1988)

ACCEPTING RESIGNATION OF
ASSISTANT DIRECTOR OF
MUNICIPAL COUNSELING
SERVICES - COUNSELING
CENTER (JOSEPH LANZONE)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Joseph Lanzone, 114
Meyer Oval, Pearl River, New York, Assistant Director of Municipal
Counseling Services - Counseling Center - is hereby accepted -
effective and retroactive to March 18, 1988.

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. (304-1988)

REAPPOINTING TO POSITION OF
MEMBER - TRAFFIC & TRAFFIC
FIRE SAFETY ADVISORY BOARD
(HERMAN BERGMAN)

Co. Maloney offered the following resolution:

RESOLVED, that Herman Bergman, 7 Parkway Drive, New
City, New York, is hereby reappointed to the position of Member -
Traffic & Traffic Fire Safety Advisory Board - term effective April
1, 1988 and to expire on March 31, 1993 - at the current 1988 annual
salary of \$1,100.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

ABF478

RESOLUTION NO. (304-1988) Continued

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

RESOLUTION NO. (305-1988)

REAPPOINTING TO THE
POSITION OF MEMBER -
TRAFFIC & TRAFFIC FIRE
SAFETY ADVISORY BOARD
(EILEEN AHLE)

Co. Maloney offered the following resolution:

RESOLVED, that Eileen Ahle, 11 Flitt Street, West Nyack, New York, is hereby reappointed to the position of Member - Traffic & Traffic Fire Safety Advisory Board - term effective April 1, 1988 and to expire on March 31, 1993 - at the current 1988 annual salary of \$1,100.00.

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. (306-1988)

REAPPOINTING TO POSITION OF
MEMBER - CONSUMER AFFAIRS
COMMISSION (MARYJANE DINEEN)

Co. Maloney offered to the following resolution:

RESOLVED, that Maryjane Dineen, 36 Carolina Drive, New City, New York, is hereby reappointed to the position of Member - Consumer Affairs Commission - to serve without compensation - term effective April 5, 1988 and to expire on April 4, 1991.

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. (307-1988)

RECOGNIZING THE APPOINTMENT
BY THE CLARKSTOWN PARKS
BOARD & RECREATION
COMMISSION OF GROUNDSKEEPER
(ALFRED CARLINI)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Clarkstown Parks Board and Recreation Commission

Continued on Next Page

RESOLUTION NO. (307-1988) Continued

of Alfred Carlini, Senior Groundswoker, 27 Lake Nanuet Drive, Nanuet, New York, to the position of Groundskeeper, at the current 1988 salary of \$26,784.00, effective on April 4, 1988.

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. (308-1988)

RECOGNIZING THE APPOINTMENT
BY CLARKSTOWN PARKS BOARD &
RECREATION COMMISSION OF
SENIOR GROUNDWORKER
(ANTONIO LETO)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Clarkstown Parks Board and Recreation Commission of Antonio Leto, Groundswoker, 96 S. Conger Avenue, Congers, New York, to the position of Senior Groundswoker, at the current 1988 annual salary of \$20,047.00, effective on April 4, 1988.

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. (309-1988)

AUTHORIZING ATTENDANCE AT
SEMINAR ON CREATIVE
APPROACHES MEETING THE
HOUSING NEEDS OF THE
ELDERLY (MEMBERS OF THE
TOWN BOARD, ZONING BOARD,
PLANNING BOARD AND CODE
INSPECTORS)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board, Zoning Board Members, Planning Board Members and Clarkstown Code Inspectors are hereby authorized to attend the Seminar on the Creative Approaches Meeting the Housing Needs of the Elderly, on Sunday, April 10th, conducted by Cornell Cooperative Extension Education Center, 62 Old Middletown Road, New City, New York.

Seconded by Co. Maloney

On roll call the vote was as follows:

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RESOLUTION NO. (309-1988) Continued

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

RESOLUTION NO. (310-1988)

APPROVING DRUG ABUSE
PREVENTION COUNCIL GRANT -
ALBERTUS MAGNUS HIGH SCHOOL
- CHARGE TO ACCOUNT NO. A
8840-424

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown Drug Abuse Prevention Council has determined that the following non-profit organization is 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 organization is hereby awarded a \$500.00 grant pursuant to Town Board resolution No. 173; and be it

FURTHER RESOLVED, that the grant recipient is 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:

<u>ORGANIZATION</u>	<u>PROJECT DIRECTOR</u>
Albertus Magnus High School	Deborah O'Connell & Alan Cann

and be it

FURTHER RESOLVED, that the appropriation provided for herein shall be charged to Account No. A 8840-424.

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. (311-1988)

SETTING PUBLIC HEARING RE
EXTENSION OF THE CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
LYNMARK ASSOCIATES - GOLD
ELL HEIGHTS

Continued on Next Page

RESOLUTION NO. (311-1988) Continued

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated February 26, 1988 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 12th day of April, 1988, at 8:25 P.M., ES time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

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. (312-1988)

AUTHORIZING RESTORATION OF
DRIVEWAY LOCATED AT 69
RIDGE ROAD, VALLEY COTTAGE,
NEW YORK

Co. Smith offered the following resolution:

WHEREAS, in 1975, Frank A. Furey and Evelyn Furey, his wife, residing at 69 Ridge Road, Valley Cottage, New York, granted a water line easement to Spring Valley Water Company enabling the Town to have hydrants installed along Route 303, and

WHEREAS, it was agreed by letter of August 13, 1975, from the then Supervisor, George Gerber, to the Valley Cottage Fire Chief, that the Town of Clarkstown will agree to properly restore the area and repave any and all of the driveway to Mr. Furey's satisfaction;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to pave the driveway area to the satisfaction of Mr. Furey for a sum not to exceed \$2,200.00, and be it

FURTHER RESOLVED, that prior to this work commencing, the Director of the Department of Environmental Control receive an acknowledgment from Mr. Furey that this work will satisfy all obligations of the Town of Clarkstown in this matter.

Seconded by Co. Maloney

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ABF478

RESOLUTION NO. (312-1988) 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. (313-1988)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE GOVERNMENT
FINANCE OFFICERS
ASSOCIATION'S NINTH ANNUAL
CONFERENCE (PAUL SCHOFIELD
AND DOLORES LODICO) -
CHARGE TO ACCOUNT NO. A
1010-414

Co. Kunis offered the following resolution:

WHEREAS, Paul K. Schofield, Comptroller and Dolores
Lodico, Deputy Comptroller will be attending the New York State
Government Finance Officers Association's Ninth Annual Conference in
Albany, New York from March 23-25, 1988;

NOW, THEREFORE, be it

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

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. (314-1988)

ASSESSING COST FOR CHAPTER
79 PROCEEDING - MAP 56,
BLOCK A, LOT 10.21 (KANE)

Co. Maloney offered the following resolution:

WHEREAS, a proceeding pursuant to Chapter 79 of the Town
Code was duly instituted against premises known and described on the
Tax Map of the Town of Clarkstown as MAP 56, BLOCK A, LOT 10.21, and

WHEREAS, by Order of the Town Board, the Superintendent
of Highways was authorized and directed to take certain corrective
measures regarding said premises, and

WHEREAS, the total cost for the proceeding and
corrective measures is the sum of \$833.71 as outlined in the
attached statement;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized
and directed to file a cancellation of Lis Pendens filed in the
Rockland County Clerk's Office on February 8, 1988, upon the payment
of \$833.71 to reimburse the Town for the cost of the proceeding and
all other expenses incurred by the Town of Clarkstown.

RESOLUTION NO. (314-1988) Continued

STATEMENT

Last Owner and Lien Search -	\$ 75.00
Index Number -	100.00
Filing of Lis Pendens -	15.00
Mailings -	5.00
Attorney's Time -	42.00
Highway Labor Charges -	381.71
Towing Charges -	195.00
Dumping Fees -	20.00
Total	\$833.71

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. (315-1988)

AWARDING BID FOR BID
#23-1988 - FIRST AID
SUPPLIES (MICRO BIO MEDICS,
EVERREADY FIRST AID SUPPLY,
PATCHOGUE SURGICAL SUPPLY,
NATIONAL HEALTH SUPPLY
CORP., G.E. PICKERING CO.,
AND PARK SURGICAL SUPPLY)

Co. Maloney offered the following resolution:

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

BID #23-1988
FIRST AID SUPPLIES

is hereby awarded to

MICRO BIO MEDICS
717 SOUTH THIRD AVE.
MT. VERNON, N.Y. 10550

EVERREADY FIRST AID SUPPLY
5 EAST 17TH STREET
NEW YORK, N.Y. 10003

PATCHOGUE SURGICAL SUPPLY
140 E. MAIN STREET
PATCHOGUE, N.Y. 11772

NATIONAL HEALTH SUPPLY CORP.
2 SOUTH ST., P.O. BOX 737
GARDEN CITY, N.Y. 11530

G.E. PICKERING CO.
265 GLEN COVE AVE.
SEA CLIFF, N.Y. 11579

PARK SURGICAL SUPPLY
5001 NEW UTRECHT AVE.
BROOKLYN, N.Y. 11219

as per attached schedule of prices.

(Prices on file in Purchasing Department)

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

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RESOLUTION NO. (316-1988)

AWARDING BID FOR BID
#29-1988 - GAME TABLES
(UNITED BILLIARDS, INC. AND
BLATT BOWLING & BILLIARD
CORP.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Asst. Supt. of Recreation and Parks, and the Director of Purchasing
that

BID #29-1988
GAMES TABLES

is hereby awarded to the following low bidders:

UNITED BILLIARDS INC.
51 PROGRESS ST.
UNION, N.J. 07083

for commercial quality 7 ft. Billiard Tables @ \$1343.00 each, and to

BLATT BOWLING & BILLIARD CORP.
809 BROADWAY
NEW YORK, N.Y. 10003

for commercial quality Bumpa Pool Tables @ \$535.00 each.

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. (317-1988)

AWARDING BID FOR BID
#25-1988 - SURVEYING
EQUIPMENT (BRANDIS & SONS,
INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Director of D.E.C. and the Director of Purchasing that

BID #25-1988
SURVEYING EQUIPMENT

is hereby awarded to

BRANDIS & SONS, INC.
62 CLINTON AVE.
PLEASANTVILLE, N.Y. 10570

as per their low bid proposal as follows:

One - Topcon Electronic Total Station #GTS-3 complete with accessories per bid spec	\$ 9,500.00
One - Topcon #TP10 Tripod per bid spec	149.00
One - Topcon Single Prism Set per bid spec	139.00

Continued on Next Page

RESOLUTION NO. (317-1988) Continued

One - Peco Graduated Prism Range Pole per bid spec	<u>125.00</u>
sub total	\$ 9,913.50
less: trade-in allowance on one K&E #74-005 Surveying Transit Unit with carry case	<u>- 450.00</u>
net bid	\$ 9,463.50

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. (318-1988)

AWARDING BID FOR BID
 #28-1988 - IMPROVEMENTS AND
 MAINTENANCE TO TOWN
 CUL-DE-SACS (IRA WICKES,
 INC.)

Co. Maloney offered the following resolution:

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

BID #28-1988
 IMPROVEMENTS AND MAINTENANCE TO
 TOWN CUL-DE-SACS

is hereby awarded to:

IRA WICKES, INC.
 11 McNAMARA ROAD
 SPRING VALLEY, N.Y. 10977

as per their low bid proposal of \$33,403.00, and be it

FURTHER RESOLVED, that this award is subject to the
receipt of a Certificate of Liability Insurance with limits of
protection specified in bid specs and statutory Workers Compensation
coverage.

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. (319-1988)

AWARDING BIDS FOR BID
 #26-1988 - ARTS & CRAFTS
 SUPPLIES (S & S ARTS &
 CRAFTS; VANGUARD CRAFTS;
 CREATIVE CRAFTS

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RESOLUTION NO. (319-1988) Continued

INTERNATIONAL; ECONOMY
HANDICRAFTS; J & A
HANDY-CRAFTS, INC., AND
I.M.C. MANAGEMENT, INC.

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid for furnishing Arts & Crafts supplies is hereby awarded to the following low bidders who have met the specifications:

S & S ARTS & CRAFTS,
COLCHESTER, CT. 06415

VANGUARD CRAFTS
4701 UTICA AVE.,
BROOKLYN, N.Y. 11234

CREATIVE CRAFTS INTERNATIONAL
16 PLAINS ROAD, BOX 819
ESSEX, CT. 06426

ECONOMY HANDICRAFTS
50-21 69TH AVE.
WOODSIDE, N.Y. 11377

J & A HANDY-CRAFTS, INC.
210 FRONT STREET
HEMPSTEAD, N.Y. 11550

I.M.C. MANAGEMENT, INC.
55 RAILROAD AVE.
GARNERVILLE, N.Y. 10923

(Some Item numbers - no bids awarded)
(Schedule on file in Town Clerk's Office)

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. (320-1988)

AUTHORIZING ATTENDANCE AT
COURSES SPONSORED BY STATE
DEPARTMENT OF EQUALIZATION
AND ASSESSMENT (NICHOLAS
LONGO AND FRANCES HEINISCH)
- CHARGE TO ACCOUNT NO.
1010-414

Co. Carey offered the following resolution:

RESOLVED, that Nicholas A. Longo, Assessor of the Town of Clarkstown and Frances M. Heinisch, Real Property Appraiser are hereby authorized to attend the following courses sponsored by the State Department of Equalization and Assessment for continuing education.

Cornell from 7/24-29/88
Albany from 10/16-21/88
Saratoga from 11/27-12/2/88
Albany from 1/8/-13/89

and be it

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

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (320-1988) 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. (321-1988)

REJECTING ALL PROPOSALS
RECEIVED FOR BID #15-1988 -
RECYCLING VEHICLES

Co. Maloney offered the following resolution:

RESOLVED, that all proposals received for

BID #15-1988
RECYCLING VEHICLES

are hereby rejected.

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. (322-1988)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE CHAPTER 31
PROCEEDING - MAP 14, BLOCK
D, LOT 15 (NEWTON E.
DURLAND) AND SETTING PUBLIC
HEARING RE SAME

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises reputedly owned by Newton E. Durland in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 14, BLOCK D, LOT 15, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 26th day of April 1988, at 8:10 P.M., providing service of Notice Pursuant to Town Code, Chapter 31 is made on or before the 5th day of April, 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. (323-1988)

RETAINING SPECIAL COUNSEL
FOR DEFENSE OF DR. DAVID
KRAUSHAAR (BROUGHT BY RAI
INDUSTRIES, INC.) - CHARGE
TO ACCOUNT NO. A 1420-409

Co. Carey offered the following resolution:

RESOLVED, that Edward N. Costikyan, Esq., of the firm of Paul, Weiss, Rifkind, Wharton & Garrison, Esqs., 1285 Avenue of the Americas, New York, New York, is hereby retained as special counsel to undertake the defense of David Kraushaar in the action commenced by Raia Industries, Inc., and be it

FURTHER RESOLVED, that all costs and legal fees on behalf of the Town and defendant 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

RESOLUTION NO. (324-1988)

RESCINDING NOTICE OF
INTENTION TO WITHDRAW FROM
EMPIRE PLAN

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Board hereby authorizes and directs the Supervisor to immediately notify the President of the State of New York Department of Civil Service as well as the necessary representatives for the Empire Plan that the Town hereby rescinds its notice of intention to withdraw from said plan effective May 31, 1988 and to further notify such individuals that, at the present time, the Town intends to continue to provide health insurance to its employees and retirees through the Empire Plan.

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. (325-1988)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
ONE (1) HYDRANT - W/S
ELLIOTS ALLEY 280 S/O
ROCKLAND LAKE ROAD -
INVESTIGATION NO. 10295

Co. Smith offered the following resolution:

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

RESOLUTION NO. (325-1988) Continued

One (1) hydrant as follows:

W/S Elliotts Alley 280 s/o Rockland Lake Road

Investigation No.: 10295, and be it

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

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. (326-1988)

AMENDING BOND RESOLUTION
ADOPTED MARCH 12, 1985 RE:
LEACHATE COLLECTION SYSTEM
AT SANITARY LANDFILL

Co. Maloney offered the following resolution:

RESOLUTION OF THE TOWN OF CLARKSTOWN,
NEW YORK, ADOPTED MARCH 22, 1988, AMENDING
THE BOND RESOLUTION ADOPTED MARCH 12, 1985

Recitals

WHEREAS, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, has heretofore duly authorized Phase II of the construction of a leachate collection system at the sanitary landfill owned by the Town, at the estimated maximum cost of \$850,000 which amount was appropriated therefor pursuant to the bond and capital note resolution adopted by said Town Board on March 12, 1985 and hereinafter referred to, and it now has been determined that due to increased costs of labor and materials the cost thereof is now estimated to be \$1,160,000 and it is necessary to increase the appropriation therefor by \$310,000;

NOW, THEREFORE, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Town Board) AS FOLLOWS:

Section A. The bond and capital note resolution of said Town duly adopted by the Town Board on March 12, 1985, entitled:

Bond and Capital Note Resolution of the Town of Clarkstown, New York, adopted March 12, 1985, authorizing Phase II of the construction of a leachate collection system at the sanitary landfill owned by the Town, stating the estimated maximum cost thereof is \$850,000, appropriating said amount therefor, and authorizing the issuance of \$42,500 capital notes to provide the required down payment, and authorizing the issuance of \$807,500 serial bonds of said town to finance the balance of said appropriation,"

is hereby amended to read as follows:

Continued on Next Page

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RESOLUTION NO. (326-1988) Continued

BOND AND CAPITAL NOTE RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED MARCH 12, 1985 AND AMENDED MARCH 22, 1988, AUTHORIZING PHASE II OF THE CONSTRUCTION OF A LEACHATE COLLECTION SYSTEM AT THE SANITARY LANDFILL OWNED BY THE TOWN, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$1,160,000, APPROPRIATING SAID AMOUNT THEREFOR, AUTHORIZING THE ISSUANCE OF \$58,000 CAPITAL NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING THE ISSUANCE OF \$1,102,000 SERIAL BONDS OF SAID TOWN TO FINANCE THE BALANCE OF SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to undertake the Phase II construction of a leachate collection and drainage system at the sanitary landfill owned by the Town, including acquisition of land or rights in land, and including also necessary studies and construction of a disposal system with treatment, as required, and original furnishings, equipment and apparatus required therefor, all in accordance with the maps, plans and specifications prepared therefor by Charles R. Velzy Associates, Inc., engineers duly licensed by the State of New York, on file in the office of the Town Clerk of the Town and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,160,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$58,000 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$1,102,000 serial bonds of the Town to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said notes and bonds and the interest thereon as the same shall become due and payable.

Section 2. Capital notes of the Town in the principal amount of \$58,000 to pay the required down payment, and serial bonds of the Town in the principal amount of \$1,102,000, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared.

(a) The period of probable usefulness of said specific object or purpose for which said \$1,102,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 6-a of the Law, is twenty (20) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be provided by the issuance of the capital notes herein authorized. The Supervisor is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Continued on Next Page

RESOLUTION NO. (326-1988) Continued

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the notes and bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution, as amended, is subject to permissive referendum.

Section B. The amendment of the bond and capital note resolution set forth in Section A of this resolution, shall in no way affect the validity of the liabilities incurred, obligations issued, or action taken pursuant to said bond and capital note resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond and capital note resolution, as so amended.

Section C. The Town Clerk of said Town of Clarkstown, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "THE JOURNAL NEWS," a newspaper published in the County of Westchester, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

Continued on Next Page

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RESOLUTION NO. (326-1988) Continued

TOWN OF CLARKSTOWN, NEW YORK

PLEASE TAKE NOTICE that on March 22, 1988, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a resolution amending the bond and capital note resolution adopted by said Town Board on March 12, 1985 which bond and capital note resolution, as amended, is entitled:

"Bond and Capital Note Resolution of the Town of Clarkstown, New York, adopted March 12, 1985 and amended March 22, 1988, authorizing Phase II of the construction of a leachate collection system at the sanitary landfill owned by the Town, stating the estimated maximum cost thereof is \$1,160,000, appropriating said amount therefor, authorizing the issuance of \$58,000 capital notes to provide the required down payment, and authorizing the issuance of \$1,102,000 serial bonds of said Town to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution, as amended, concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Town to undertake the Phase II construction of a leachate collection and drainage system at the sanitary landfill owned by the Town, including acquisition of land or rights in land, and including also necessary studies and construction of a disposal system with treatment, as required, and original furnishings, equipment and apparatus required therefor, all in accordance with maps, plans and specifications prepared therefor by Charles R. Velzy Associates, Inc., engineers duly licensed by the State of New York, on file in the office of the Town Clerk of the Town and hereby approved; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,160,000; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$58,000 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$1,102,000 serial bonds of the Town to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said notes and bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$58,000 capital notes to provide the required down payment and \$1,102,000 serial bonds of the Town pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$1,102,000 serial bonds are to be issued is twenty (20) years; current funds are required by the law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Supervisor to set aside the proceeds of sale of said capital notes and apply the same solely to said specific object or purpose; and the proposed maturity of said \$1,102,000 serial bonds will exceed five (5) years;

FOURTH; DETERMINING that said notes and bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Town and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said notes and bonds and any bond

Continued on Next Page

RESOLUTION NO. (326-1988) Continued

anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution, as amended, is subject to permissive referendum.

DATED: March 22, 1988

Patricia Sheridan
Town Clerk

Section D. Said bond and capital note resolution, as herein amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond and capital note resolution, as amended, and requesting that it be submitted to the electors of said Town for their approval or disapproval is filed and the Proposition submitted therefor is defeated, the validity of the bond and capital note resolution adopted March 12, 1985 shall not be in any way affected and shall remain in full force and effect.

Section E. After said bond and capital note resolution, as herein amended, shall take effect, the Town Clerk is hereby directed to cause said bond and capital resolution as herein amended, to be published, in full, in the newspaper hereinabove referred to in Section C hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Section F. This resolution shall take effect immediately.

* * *

The adoption of the foregoing resolution was seconded by Councilwoman Smith and duly put to a vote on roll call, which resulted as follows:

AYES: Holbrook, Carey, Kunis, Maloney, Smith

NOES: None

The resolution was declared adopted.

RESOLUTION NO. (327-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT TO INCLUDE JOY
ACRES SOUTH

Co. Maloney offered the following resolution:

WHEREAS, a written Petition dated February 25, 1988 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

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

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland

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RESOLUTION NO. (327-1988) Continued

County, New York, in said Town of Clarkstown, on the 12th day of April, 1988, at 8:30 P.M. ES time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

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. (328-1988)

GRANTING CERTIFICATES OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF CODE OF
TOWN OF CLARKSTOWN (KEVIN
STOKES EXCAVATING, INC. -
NO. 88-14 and JAMISONS
ASSOCIATES, INC. - NO.
88-18)

Co. Carey offered the following resolution:

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

KEVIN STOKES EXCAVATING, INC.
P.O. Box 812
Pearl River, N.Y. 10965

JAMISONS ASSOCIATES, INC.
7 Kinderkamack Rd.
Montvale, N.J. 07645

NOW, THEREFORE, be it

RESOLVED, that the following Certificates of Registration be issued:

No. 88-14 issued to Kevin Stokes Excavating, Inc.

No. 88-18 issued to Jamisons Associates, Inc.

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. (329-1988)

SETTING PUBLIC HEARING FOR
INCREASE IN EXPENDITURE FOR
CONSTRUCTION OF ROUTE 303
SANITARY SEWER SYSTEM WITH
MASTER BENEFITED SEWERAGE
IMPROVEMENT AREA NO. 2

Co. Maloney offered the following resolution:

Continued on Next Page

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town Board" and "Town" respectively), in the County of Rockland, New York, has heretofore duly authorized the construction of improvements consisting of the construction of sanitary sewers, a pump station and force main to service the area along Route 303 and Greenbush Road south of Route 59 (the "Route 303 Sanitary Sewer System"), including buildings, land or rights in land, original furnishings, equipment, machinery, and apparatus required therefor, within an unincorporated area of the Town known as the Master Benefited Sewerage Improvement Area No. 2 (MBSIA #2), in the Town, pursuant to Article 12-C of the Town Law, at the estimated maximum cost of \$253,000, in accordance with the map, plan and report prepared therefor by Charles R. Velzy Associates, Inc., consulting engineers duly licensed by the State of New York, and which map, plan and report has been heretofore duly filed in the office of the Town Clerk for public examination;

WHEREAS, the Route 303 Sanitary Sewer System, within MBSIA #2, is more particularly described on the attached Schedule "A."

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

WHEREAS, due to largely increased cost of labor and materials, the Town board has determined that it is necessary to increase the estimate of cost for the construction of said Route 303 Sanitary Sewer System within MBSIA #2 by \$247,000;

WHEREAS, the maximum amount now proposed to be expended for the construction of the Route 303 Sanitary Sewer System in the Master Benefited Sewerage Improvement Area No. 2 is estimated to be \$500,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments upon the several lots and parcels of land in the benefit area which the Town Board shall deem especially benefited by said improvements so much upon and from each as shall be in just proportion to the amount of benefit which the improvements shall confer upon the same to pay the principal of and interest on said bonds; and, the Town expects to expend \$72,800 of available funds to aid in financing said improvements, and any amounts so expended shall be applied to the costs of said improvements or to the redemption of any bonds issued therefor or budgeted as an offset to the assessments for payment of the principal of and interest on said bonds; and

WHEREAS, the annual cost of operation and maintenance of said sewer system shall be paid according to the MBSIA #2 repayment formula whereby those properties within the area served by the proposed sewer system pay their share of the annual cost based on a formula using assessed valuation, front feet of property served and the number of unit connections; and the remaining balance of such annual cost of operation and maintenance are apportioned among all other properties within MBSIA No. 2 on an ad valorem basis.

NOW, THEREFORE, be it

ORDERED, that the Town Board of the Town, meet and hold a public hearing at the Town Hall, 10 Maple Avenue, New City, New York, in the Town, on the 12th day of April, 1988, at 8:05 o'clock P.M. (Prevailing Time) to consider the increase in the maximum amount to be expended for the construction of the Route 303 Sanitary Sewer System within Master Benefited Sewerage Improvement Area No. 2, at which all persons interested in the subject thereof may be heard concerning the same, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "THE JOURNAL NEWS," a newspaper published in the County of Westchester, New York, having a general circulation in the Town of

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RESOLUTION NO. (329-1988) Continued

Clarkstown, and hereby designated as the official newspaper of the Town for such publication, and post conspicuously on the bulletin board of the Town Clerk, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day set and designated herein for said public hearing as aforesaid.

Dated: March 22, 1988

TOWN BOARD OF THE TOWN OF CLARKSTOWN

/s/ Charles E. Holbrook
Supervisor

/s/ William J. Carey
Councilperson

/s/ Steven C. Kunis
Councilperson

/s/ John R. Maloney
Councilperson

/s/ Ann Marie Smith
Councilperson

(SEAL)

Members of the Town Board of the Town of Clarkstown, in the County of Rockland, New York

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. (330-1988)

AUTHORIZING SUPERVISOR TO SEEK APPROVAL OF METROPOLITAN TRANSPORTATION AUTHORITY TO INSTALL AND MAINTAIN A MINI LIBRARY AT NANUET RAILROAD STATION

Co. Kunis offered the following resolution:

WHEREAS, the International Brotherhood of Electrical Workers has proposed, at its sole cost and expense, to install, stock and maintain a mini library consisting of books and magazines at the Nanuet Railroad Station for use by commuters, and

WHEREAS, such proposal has the approval of the Town Board of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to seek the approval of the Metropolitan Transportation Authority and/or any other authority necessary to install and maintain such mini library at the Nanuet Railroad Station.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (330-1988) 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. (331-1988)

APPROVING REDUCTION IN
AMOUNT OF PERFORMANCE BOND
(KINGSGATE, SECTION C)

Co. Carey offered the following resolution:

WHEREAS, a Performance Bond No. 072587, J.M.K. Building Corp. as Principal, and International Fidelity Insurance Company as Surety, dated January 13, 1987, in the amount of \$610,000 covering the improvements and other facilities as shown on Final Plat of Kingsgate "C" filed in the Town Clerk's Office on January 16, 1987, was furnished to the Town of Clarkstown, and

WHEREAS, the Department of Environmental Control has reported that said bond may be reduced to \$130,000 as much of the work has been completed to Town specifications, provided the Surety shall acknowledge that the bond otherwise remains in full force and effect to complete the remaining items in Section "C".

NOW, THEREFORE, be it

RESOLVED, that Performance Bond No. 072587 may be reduced to \$130,000.

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. (332-1988)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE CHAPTER 31
PROCEEDING - MAP 7, BLOCK
A, LOT 31) (STARLIGHT
EQUITIES) AND SETTING
PUBLIC HEARING RE SAME

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises reputedly owned by Starlight Equities, Inc. in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 7, BLOCK A, LOT 31, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 26th day of April 1988, at 8:15 P.M., providing service of Notice Pursuant to

Continued on Next Page

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RESOLUTION NO. (332-1988) Continued

Town Code, Chapter 31 is made on or before the 5th day of April, 1988.

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. (333-1988)

AUTHORIZING ERECTION OF
SIGN ON TOWN HALL BY NEW
CITY FIRE ENGINE COMPANY
NO. 1 RE: CENTENNIAL
CELEBRATION IN 1988

Co. Carey offered the following resolution:

RESOLVED, that the New City Fire Engine Company No. 1 is hereby authorized to erect a sign on Town Hall property as part of their Centennial Celebration in 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. (334-1988)

DIRECTING HIGHWAY
DEPARTMENT TO PUT GRAVEL ON
STONEWALL LANE, CONGERS

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Highway Department is directed to put gravel on Stonewall Lane in Congers.

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Community Development Funds was opened, time: 8:55 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Community Development Funds was closed, time: 9:01 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Abandonment of Howard Street, Congers, was opened, time: 9:02 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Abandonment of Howard Street, Congers, was closed, DECISION RESERVED FOR SEQRA PURPOSES, time: 9:07 P.M.

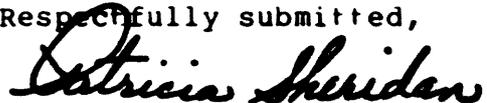
On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District to include Levy was opened, time 9:07 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include Levy, was closed, ORDER SIGNED, time: 9:08 P.M.

Supervisor noted that with respect to Agenda Item No. 15 (Lipkind Property - Map 111, Block A, Lot 28), he had received a communication from Mr. Cronin, attorney for Mr. Lipkind noting that he was applying for a Certificate of Occupancy and wanted until September. Supervisor and Town Board members wanted to give Mr. Lipkind a deadline. Mrs. Saccende, Code Inspector for the Town, stated that Mr. Lipkind had repaired the outside. She said the inside of the house needs more work. Supervisor noted that he had also received a doctor's note stating that Mr. Lipkind could not work in the cold weather. After discussion it was decided that June 1, 1988 was the deadline and Mr. Lipkind's attorney was to be so notified.

There being no one further wishing to be heard, and no further business to come before the Town Board, on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 9:10 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

ABF478

TOWN OF CLARKSTOWN
PUBLIC HEARING

141

Town Hall

3/22/88

8:55 P.M.

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

RE: COMMUNITY DEVELOPMENT FUNDS - 1988

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

Supervisor Holbrook read the notice for this hearing as published in the Journal News. He said the reason for this hearing is to obtain public input regarding how Community Development Funds should be expended. They must be for specific eligible projects. He noted that last year the Town of Clarkstown received \$40,000.00, \$17,000.00 was spent for the Central Nyack Community Center, \$10,000.00 for the Association for Retarded Children for paving of parking facilities on Phillips Hill Road, \$5,000.00 for removal of architectural barriers in the lavatories of the Rockland Center for the Arts and \$8,000.00 for curb and sidewalk construction on White Street in Spring Valley.

Supervisor noted there was a subsequent appropriation of some few thousand dollars and that was added to the Central Nyack Community Center.

Supervisor asked if there was anyone present wishing to speak on this matter.

Appearance: Mr. Kelly Bernard
Spring Valley, New York

Mr. Bernard spoke about allocating some of these funds for renovation of lower income housing in Clarkstown.

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

Mr. Lodico raised objections as to how the funds were allocated. He felt they should be based on population in the town the same as it is for Revenue Sharing.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, time: 9:01 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

ABF478

TOWN OF CLARKSTOWN
PUBLIC HEARING

143

Town Hall

3/22/88

9:02 P.M.

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

RE: ABANDONMENT OF PORTION OF HOWARD STREET, CONGERS

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

Town Attorney noted that the SEQRA was incomplete and therefore no decision could be made on this matter this evening. Supervisor noted that he had a memorandum from Raymond, Parish, Pine & Weiner stating they had prepared a short form for this project and noting that this action will result in no adverse environmental impacts. They asked that the short form be reviewed and if acceptable it be signed. Supervisor noted that there is a twenty (20) day statutory time period so that either on the 12th or the 26th of April the Town Board would be able to act on this.

Supervisor asked if there was anyone present wishing to speak on this matter.

Appearance: Mr. Robert Donaldson
Petitioner

Mr. Donaldson said they basically wanted to abandon the roadway for purposes of safety and maintenance over the years.

Appearance: Mr. Kelly Bernard
Spring Valley, New York

Mr. Bernard said he read the notice in the newspaper and came into the Town Clerk's office to get the file. He said the file refers to the abandonment of a portion of right-of-way known as Rockland Avenue and Howard Street. He said looking at the map now he was wondering if he had been given the wrong file. Supervisor noted that Rockland Avenue is another one but is not the subject of the public hearing tonight. This is an old Boston Improvement Company street and if the heirs of that company exist they cannot be found. Apparently, from our planning consultants point of view, this has no adverse effect. We are removing it from the official map also.

Mr. Bernard said then he was given the wrong file. Supervisor noted that this is the same principle though. Mr. Bernard said if he understood correctly this is a portion of the road approximately 160 feet long. He asked if there were two Howard Streets in the area. Supervisor said there are two sections. He said the Boston Improvement Company cut everything up into streets like a gridiron pattern and chopped out lots. Mr. Bernard said he believed that the section between Morton and North Grant is 160 feet long. He asked what happens to the land and who becomes the owner.

Town Attorney said the Town has never received a dedication of this and therefore whoever has title to the bed - usually the neighboring landowners - would divide up the land. However, that is not the subject of our hearing. We are not involved with who gets the land because we never had title. If we had title then we would be involved in appraisals, selling, etc. We are just deleting it from the official map.

Mr. Bernard said if it is abandoned by the Town could he just go there and claim it? Mr. Jacobson said you could buy it from whomever owns it. Usually when you buy a map, block and lot,

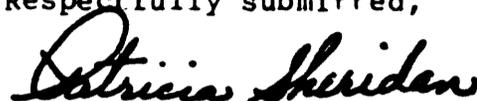
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by law, you own to the center line of the road. Since we don't do title searches and we don't own it we don't really care who gets the ownership.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED for SEQRA purposes, time: 9:07 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

145

Town Hall

3/22/88

9:07 P.M.

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

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE LEVY

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was opened. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication. Town Clerk stated that there was on file in the Town Clerk's Office an affidavit from the Deputy Director of the Department of Environmental Control testifying as to the benefit to surrounding property owners of this proposed extension.

Supervisor asked if there was anyone present wishing to speak in favor of the proposed extension.

No one appeared.

Supervisor asked if there was anyone present wishing to speak in opposition to the proposed extension.

No one appeared.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 9:08 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

ABF810