

TOWN OF CLARKSTOWN
SPECIAL TOWN BOARD MEETING

Town Hall

6/2/88

4:20 P.M.

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

Town Board Members signed Consent to Special Meeting of the Town Board of the town of Clarkstown. Supervisor Holbrook declared Special Town Board Meeting open. Assemblage saluted the Flag.

RESOLUTION NO. (583-1988)

AUTHORIZING TOWN ATTORNEY TO DEFEND AN ACTION AGAINST THE TOWN - PLAINTIFF, HANS C. MAUTNER, PRESIDENT OF CORPORATE PROPERTY INVESTORS AGAINST CO. ANN MARIE SMITH, TOWN BOARD, CHARLES HOLBROOK AND PYRAMID CO. AND CLINTON SQUARE PLAZA

Co. Maloney Maloney offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

HANS C. MAUTNER, President of Corporate Property Investors, a Massachusetts Business Trust, and CORPORATE PROPERTY INVESTORS,

Plaintiffs,

-against-

ANN MARIE SMITH, Councilperson Town of Clarkstown, the TOWN BOARD OF THE TOWN of CLARKSTOWN, CHARLES E. HOLBROOK, Supervisor of the Town of Clarkstown, PYRAMID COMPANY OF ROCKLAND, and CLINTON SQUARE PLAZA, INC.,

Defendants

NOW, THEREFORE, be it

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

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. (584-1988)

GRANTING AN EXTENSION OF TIME FOR COMMENTS AND RECOMMENDATIONS WITH RESPECT TO CLINTON SQUARE PLAZA, INC. TO SEPTEMBER 1, 1988

Co. Maloney offered the following resolution:

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RESOLUTION NO. (584-1988) Continued

WHEREAS, the Rockland County Planning Board and the New York State Department of Transportation have requested an extension of time from June 10, 1988 to September 1, 1988, to submit recommendations to the Town Board with respect to their review of the Draft Generic Environmental Impact Statement (DGEIS) concerning Clinton Square Plaza, Inc. petition for a change of zone from an LIO District to an MRS District, on property designated on the Clarkstown Tax Map as Map 89, Block A, Lots 4, 12.02 and 13; Map 106, Block A, Lots 25, 45, 45.0101, 46, 47.01, 48 and 49;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants an extension of time from June 10, 1988 to September 1, 1988, to submit recommendations and comments to the Town Board with respect to their review of the DGEIS concerning Clinton Square Plaza, Inc. petition for a change of zone from an LIO District to an MRS District, on property designated on the Clarkstown Tax Map as Map 89, Block A, Lots 4, 12.02 and 13; Map 106, Block A, Lots 25, 45, 45.0101, 46, 47.01, 48 and 49.

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. (585-1988)

AUTHORIZING THE TOWN ATTORNEY TO APPEAL DECISION OF THE SUPREME COURT RE: PEOPLE OF THE STATE OF NEW YORK AGAINST THE TOWN OF CLARKSTOWN

Co. Smith offered the following resolution:

WHEREAS, the Supreme Court of the County of Rockland has rendered a decision in the matter of PEOPLE OF THE STATE OF NEW YORK against the TOWN OF CLARKSTOWN, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

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

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. (586-1988)

AUTHORIZING TOWN ATTORNEY
TO DEFEND A PROCEEDING
AGAINST THE TOWN OF
CLARKSTOWN - SHELL OIL
COMPANY AGAINST ZONING
BOARD OF APPEALS

Co. Smith offered the following resolution:

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

In the Matter of the Application of

SHELL OIL COMPANY

Petitioner,

-against-

JOHN M. DIANIS, CHAIRMAN, ELIZABETH J.
SQUILLACE, PENNY LEONARD, JOHN FELLA,
WILLIAM NIEHAUS, DAVID KRAUSHAAR,
comprising the Board of Zoning Appeals
of the Town of Clarkstown and the Town
of Clarktown,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. 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 (587-1988)

AUTHORIZING ATTENDANCE AT
PROGRAM ON SEQRA AND
SUBDIVISION REVIEW PROCESS
-MURRAY N. JACOBSON, PHILIP
B. FOGEL, DENISE S.
TORIELLO AND ELIZABETH J.
SQUILLACE AND CHARGED TO
ACCOUNT NO. A1010-414

Co. Maloney offered the following resolution:

RESOLVED, that the following are hereby authorized to
attend a program on SEQRA and SUBDIVISION REVIEW PROCESS sponsored
by the Westchester County Bar Association on June 14, 1988, at White
Plains, New York, at a fee of \$17.00 per person:

MURRAY N. JACOBSON, Town Attorney
PHILIP B. FOGEL, Deputy Town Attorney
DENISE S. TORIELLO, Deputy Town Attorney
ELIZABETH J. SQUILLACE, Director of Finance

and be it

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RESOLUTION NO. (587-1988) Continued

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Special Town Board Meeting was declared closed

Respectfully submitted,

Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk