

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

6/14/88

8:02 P.M.

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

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

Supervisor stated that the first order of business this evening was the awarding of a certificate to Eagle Scout, Kevin Andrew Donohue. Supervisor stated that they wanted to take time out to recognize this difficult achievement and the determination involved in order to stay with the program and attain such a high honor. He presented to Kevin, of Troop 428 of Boy Scouts of America, a Certificate of Award on behalf of the entire Town Board.

Supervisor noted that there were a number of Clarkstown residents who have been awarded scholarships from the Italian-American Scholarship Association. Mr. Charles Perrella representing the organization was introduced to the audience. Awards were presented to many students by the Town Board Members.

Supervisor declared the Public Portion of the meeting open. No one wished to speak.

RESOLUTION NO. (589-1988)

ACCEPTING MINUTES OF
REGULAR TOWN BOARD MEETINGS
OF MAY 10TH AND 24TH AND
SPECIAL TOWN BOARD MEETINGS
OF JUNE 2ND AND JUNE 7TH

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the regular Town Board meetings of May 10, 1988 and May 24, 1988 and the special Town Board meetings of June 2, 1988 and June 7, 1988, are hereby accepted as submitted by the Town Clerk.

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. (590-1988)

DECREASING ACCOUNTS NOS.DA
5142-386, DA 5142-386 AND
DB 5110-381 AND INCREASING
DA 5142-111, DA 5142-443
AND DB 5110-408 (HIGHWAY
DEPARTMENT)

Co. Maloney offered the following resolution:

RESOLVED, to transfer the following Highway funds:

<u>DECREASE</u>	<u>INCREASE</u>	<u>AMOUNT</u>
DA 5142-386(Salt)	DA 5142-111 (Snow Overtime)	\$23,270
DA 5142-386(Salt)	DA 5142-443 (Snow Rental)	60
DA 5110-381 (Bituminous	DB 5110-408 (Bldg. Repairs)	9,300

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RESOLUTION NO. (590-1988) Continued

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. (591-1988)

DECREASING APPROPRIATION
ACCOUNT A 5630-114
(SALARIES PART-TIME) AND
INCREASING APPROPRIATION
ACCOUNTS A 5630-203 (MOTOR
VEHICLES) AND A 5630-406 -
REPAIRS TO VEHICLES (MINI
TRANS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 5630-114 (Salaries Part-Time) by \$5,016 and increase the following Appropriation Accounts:

- A 5630-203 (Motor Vehicles) by \$ 616
- A 5630-406 (Repairs to Vehicles) by \$ 4400

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. (592-1988)

DECREASING APPROPRIATION
ACCOUNT A 1640-311
(GASOLINE) AND INCREASING
APPROPRIATION ACCOUNT A
1640-111 (OVERTIME) (TOWN
GARAGE)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 1640-311 (Gasoline) and increase Appropriation Account A 1640-111 (Overtime) by \$70.00.

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. (593-1988)

INCREASING APPROPRIATION
ACCOUNT A 1640-110 (TOWN
GARAGE-SALARIES) AND
DECREASING APPROPRIATION
ACCOUNTS A 1640-209 (OTHER
EQUIPMENT); A 1640-204
(OFFICE MACHINES); A
1640-219 (MISC. EQUIPMENT);
A 1640-311 (GASOLINE); AND
A 1640-312 (AUTO MAINT.
SUPPLIES) (TOWN GARAGE)

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account No. A 1640-110 (Town Garage - Salaries) by \$15,000 and decrease the following Appropriation Account Numbers:

A 1640-209 (Other Equipment).....	\$ 2,000
A 1640-204 (Office Machines).....	168
A 1640-219 (Misc. Equipment).....	300
A 1640-311 (Gasoline).....	10,000
A 1640-312 (Auto Maint. Supplies).....	2,532

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. (594-1988)

DECREASING CONTINGENCY
ACCOUNT NO. A 1990-505 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1330-313
(RECEIVER OF TAXES-OFFICE
SUPPLIES AND PRINTING) AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1330-313 AND
DECREASING APPROPRIATION
ACCOUNT NO. A 1330-201
(FURNITURE & FURNISHINGS)
(RECEIVER OF TAXES)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 1330-313 (Receiver of Taxes-Office Supplies & Printing) by \$910.00, and be it

FURTHER RESOLVED, to increase Appropriation Account No. A 1330-313 and decrease Appropriation Account No. A 1330-201 (Furniture & Furnishings) by \$800.00.

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. (595-1988)

DECREASING CONTINGENCY
ACCOUNT NO. A 1990-505 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 8730-226
(ENVIRONMENTAL CONTROL
-COMPUTER SOFTWARE)
(ENVIRONMENTAL CONTROL)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Contingency Account No. A
1990-505 and increase Appropriation Account No. A 8730-226
(Environmental Control-Computer Software) by \$6,000.00.

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. (596-1988)

INCREASING ESTIMATED
REVENUE ACCOUNT NO.
01-002001 (PARKS &
RECREATION CHARGES) AND
APPROPRIATION ACCOUNT NO. A
7610-424 (CONTRACTUAL
EXPENSES) (PARKS &
RECREATION)

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No.
01-002001 (Parks & Recreation Charges) and Appropriation Account No.
A 7610-424 (Contractual Expenses) by \$4,915.00.

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. (597-1988)

INCREASING ESTIMATED
REVENUE ACCOUNT 01-002376-1
(TOWN OF RAMAPO-SLF REFUSE)
AND APPROPRIATION ACCOUNTS
A 8160-311 (SLF GASOLINE)
AND A 8160-447 (EQUIPMENT
REPAIRS) AND DECREASING
ESTIMATED REVENUE ACCOUNT
01-002130 (SLF-REFUSE) AND
INCREASING ESTIMATED
REVENUE ACCOUNT 01-002376-1
(TOWN OF RAMAPO-SLF REFUSE)
(SANITARY LANDFILL)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (597-1988) Continued

RESOLVED, to increase Estimated Revenue Account No. 01-002376-1 (Town of Ramapo-SLF Refuse) by \$2,877.50 and the following Appropriation Account Numbers:

A 8160-311 (SLF-Gasoline).....	\$ 957.08
A 8160-447 (Equipment Repairs).....	1,920.42

and be it

FURTHER RESOLVED, to decrease Estimated Revenue Account No. 01-002130(SLF-Refuse) and increase Estimated Revenue Account No. 01-002376-1 (Town of Ramapo-SLF Refuse) by \$3,007.92.

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. (598-1988)

DECREASING APPROPRIATION ACCOUNT A 3120-110 (POLICE SALARIES) AND INCREASING APPROPRIATION ACCOUNTS A 3120-203 (MOTOR VEHICLES); A 3120-303 (HOSPITAL & MEDICAL SUPPLIES); A 3120-307 (UNIFORMS); A 3120-414 (CONFERENCES & SCHOOLS); AND A 3120-417 (IN-SERVICE TRAINING) (POLICE DEPARTMENT)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A 3120-110 (Police Salaries) by \$15,050.00 and increase the following Appropriation Accounts:

A 3120-203 (Motor Vehicles).....	\$ 50.00
A 3120-303 (Hospital & Medical Supplies)....	\$ 1,000.00
A 3120-307 (Uniforms).....	\$12,000.00
A 3120-414 (Conferences & Schools).....	\$ 1,000.00
A 3120-417 (In-Service Training).....	\$ 1,000.00

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. (599-1988)

INCREASING ESTIMATED REVENUE ACCOUNT 01-002001 (PARKS AND RECREATION CHARGES) AND INCREASING APPROPRIATION ACCOUNT A 7310-427 (PUBLICITY)

RESOLUTION NO. (599-1988) Continued

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-002001 (Parks and Recreation Charges) and increase Appropriation Account No. A 7310-427 (Publicity) by \$5,250.00.

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. (600-1988)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL STOP SIGN (CROSSFIELD AVENUE AT WEST NYACK ROAD, WEST NYACK) AND CHANGE SIGN "25 MPH" TO "AREA SPEED 30 MPH"

Co. Carey offered the following resolution:

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

A Stop Sign on Crossfield Avenue at West Nyack Road, West Nyack

Change the sign, "25 MPH" to "Area Speed 30 MPH"

and be it

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

Seconded by Co. 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. (601-1988)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL STOP SIGN ON FERNDAL ROAD AT ORIOLE ROAD, NEW CITY, NEW YORK

Co. Carey offered the following resolution:

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

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RESOLUTION NO. (601-1988) Continued

A Stop Sign on Ferndale Road at Oriole Road,
New City, New York

and be it

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

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. (602-1988)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING ANYTIME" SIGNS WEST
SIDE OF NORTH HARRISON
AVENUE FROM FIREHOUSE SOUTH
TO LAKE ROAD, CONGERS

Co. Carey offered the following resolution:

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

Signs, per Sec. 221.5 of the NYS Dept. of Transportation Manual of Uniform Traffic Control Devices Pl-1 signs to read, "No Parking Anytime" (with arrows) to be erected on the west side of North Harrison Avenue from the firehouse south to Lake Road, Congers, New York

and be it

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

Seconded by Co. 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. (603-1988)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING MONDAY - FRIDAY
8:00 A.M. TO 4:00 P.M."
BOTH SIDES OF OXFORD COURT
FROM STAWTOWN ROAD, NEW CITY

Co. Carey offered the following resolution:

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RESOLUTION NO. (603-1988) Continued

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

Signs to read, "No Parking Monday - Friday 8:00 A.M. to 4:00 P.M. These signs to be erected on both sides of Oxford Court from Strawtown Road, New City, New York

and be it

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

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. (604-1988)

GRANTING PERMISSION FOR USE OF TOWN OF CLARKSTOWN SHOWMOBILE TO EMPIRE HOOK & LADDER COMPANY #1

Co. Carey offered the following resolution:

WHEREAS, Empire Hook & Ladder Company #1 of Upper Nyack, New York, has requested use of the Town of Clarkstown showmobile on Saturday, October 1, 1988 for their 125th Anniversary,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Empire Hook & Ladder Company #1 to use the Town of Clarkstown showmobile on Saturday, October 1, 1988 for the above purposes and subject to the provision of the necessary insurance policies.

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. (605-1988)

SETTING DATES FOR TOWN BOARD WORKSHOP MEETINGS AND TOWN BOARD MEETINGS FOR SUMMER - 1988

Co. Maloney offered the following resolution:

BE IT RESOLVED, the Town Board Workshop meetings will be held on July 5th and August 9th, 1988 and be it

FURTHER RESOLVED, the Town Board meetings will be held on July 12th and August 16th, 1988.

RESOLUTION NO. (605-1988) Continued

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. (606-1988)

AWARDING BID FOR BID
#55-1988 - BITUMINUS
MATERIALS FOR SURFACE
TREATMENT OF TOWN ROADS
(NEW YORK BITUMINOUS
PRODUCTS CORP.)

Co. Maloney offered the following resolution:

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

BID #55-1988
BITUMINOUS MATERIAL FOR SURFACE
TREATMENT OF TOWN ROADS

is hereby awarded to:

NEW YORK BITUMINOUS PRODUCTS CORP.
P.O. Box 900
Chester, New York 10918

as per the attached proposal, and be it

FURTHER RESOLVED, that said award is subject to the
receipt of the required performance and labor and materials payment
bonds as stipulated in bid specifications.

(Proposal 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. (607-1988)

AWARDING BID FOR BID
#52-2988 - POLICE EQUIPMENT
(STANDARD LAW ENFORCEMENT
SUPPLY CO., RAY'S SPORT
SHOP, INC., AND TRI COUNTY
POLICE SUPPLY, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Police Chief and the Director of Purchasing that

BID #52-1988
POLICE EQUIPMENT

Continued on Next Page

RESOLUTION NO. (607-1988) Continued

is hereby awarded to:

STANDARD LAW ENFORCEMENT SUPPLY CO.
957 WILLIS AVENUE
ALBERTSON, N.Y. 11507

RAY'S SPORT SHOP, INC.
559 HIGHWAY 22
NO. PLAINFIELD, N.J. 07060

TRI COUNTY POLICE SUPPLY, INC.
P.O. BOX 830
NYACK, N.Y. 10960

as per the attached item/price schedule.

(Item/price 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. (608-1988)

AWARDING BID FOR BID
#63-1988 - OFFICE FURNITURE
(PRIDE OFFICE FURNITURE,
MAX BLAU & SONS, IRWIN KAHN
ASSOC., STARR BUSINESS
PRODUCTS, BOUTONS, INC.,
AND GLOBE OFFICE SUPPLY)

Co. Maloney offered the following resolution:

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

BID #63-1988
OFFICE FURNITURE

is hereby awarded to the following bidders as per the attached
item/price schedule

PRIDE OFFICE FURNITURE
49 South Main Street
Spring Valley, New York 10977

MAX BLAU & SONS
89 Market Street
Newark, New Jersey 07102

IRWIN KAHN ASSOC.
10 Esquire Road
New City, New York 10956

STARR BUSINESS PRODUCTS
Bos 234
Monsey, New York 10952

BOUTONS, INC.
300 Airport Executive Park
Spring Valley, New York 10977

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RESOLUTION NO. (608-1988) Continued

GLOBE OFFICE SUPPLY
5800 Third Avenue
Brooklyn, New York 11220

(Item/price 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. (609-1988)

AWARDING BID FOR BID
#49-1988 - BUS
TRANSPORTATION (MONSEY
TRAILS CORP.)

Co. Maloney offered the following resolution:

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

BID #49-1988
BUS TRANSPORTATION

PART B - Senior Citizen Transportation
Item 3 - One Day Trips - Long Distance

is hereby awarded to

MONSEY TRAILS CORP.
8 Washington Avenue
New Square, New York 10977

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. (610-1988)

AWARDING BID FOR BID
#64-1988 - REPAIRS TO
CATERPILLAR 930 BUCKET
LOADER (H.O. PENN MACHINERY
CO., INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the
Superintendent of Highways that

BID #64-1988
REPAIRS TO CATERPILLAR 930 BUCKET LOADER

is hereby awarded to

Continued on Next Page

RESOLUTION NO. (610-1988) Continued

H.O. PENN MACHINERY CO., INC.
3238 Noxon Road
Poughkeepsie, New York 12603

as per their proposed cost of \$20,122.00.

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. (611-1988)

AWARDING BID FOR BID
#65-1988 - PAPER AND
PLASTIC SUPPLIES (BURKE
SUPPLY CO., AETNA
JANITORIAL, MT. ELLIS PAPER
CO., CALICO INDUSTRIES,
E.A. MORSE, AND CENTURY
PAPER BOX CO.)

Co. Maloney offered the following resolution:

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

BID #65-1988
PAPER AND PLASTIC SUPPLIES

is hereby awarded to

BURKE SUPPLY CO.
880 Meeker Avenue
Brooklyn, New York 11222

AETNA JANITORIAL
137 North Main Street
Spring Valley, New York 10977

MT. ELLIS PAPER CO.
PO Box 4083
214 MacArthur Avenue
Newburgh, New York 12550

CALICO INDUSTRIES
25 Van Zant Street
Norwalk, Connecticut 06855

E. A. MORSE
11-25 Harding Street
Middletown, New York 10940

CENTURY PAPER BOX CO.
P.O. BOX 123
Haverstraw, New York 10927

as per attached item/price schedule

(Item/price 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. (612-1988)

AUTHORIZING ATTENDANCE AT
CONFERENCE ON ASSESSMENT
ADMINISTRATION (LONGO AND
HEINISCH)

RESOLUTION NO. (612-1988) Continued

Co. Maloney 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 a Conference on Assessment Administration in Monticello, New York from October 2 through October 7, 1988, and be it

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

Seconded by Supv. Holbrook

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. (613-1988)

RESCINDING RESOLUTION NO.
531-1988 RE: CHANGE OF NAME
(FENWAY COURT)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 531-1988 adopted by the Town Board on May 10, 1988 authorizing the change of street name from Fenway Court to Augusta Court, New City, is hereby rescinded.

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. (614-1988)

ACCEPTING PROPOSAL FROM
ORANGE & ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING AT JOY ACRES SOUTH

Co. Smith offered the following resolution:

RESOLVED, based upon the recommendation of Kurian L. Kalarickal, Deputy Director of the Department of Environmental Control, the following street lighting be installed to improve traffic and pedestrian safety, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts proposal from Orange & Rockland Utilities, Inc. for street lighting at:

Joy Acres South - Valley Cottage

Install 2 - 5800 lumen sodium vapor street lights
on P #78/07 and P #95/71
Increase to the Town: \$221.28 plus E.F.C.

Annual Charges: \$221.28

(\$110.64 per unit x 2 units = \$221.28)

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RESOLUTION NO. (614-1988) Continued

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (615-1988)

AUTHORIZING ATTENDANCE AT
NATIONAL INSTITUTE OF
GOVERNMENTAL PURCHASING IN
OTTAWA, CANADA (LAURENCE
KOHLER)

Co. Maloney offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the annual conference of the National Institute of Governmental Purchasing in Ottawa, Canada from July 23-28, 1988, and be it

FURTHER RESOLVED, that all necessary charges be against account A 1010-414.

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. (616-1988)

AUTHORIZING DIRECTOR OF
DEPARTMENT OF ENVIRONMENTAL
CONTROL TO HIRE BRUCE H.
SMITH CONTRACTING FOR
DEMOLITION OF PREMISES ON
COSCIA PROPERTY (MAP 57,
BLOCK J, LOT 1) - CHARGE TO
ACCOUNT NO. H 516409

Co. Maloney offered the following resolution:

WHEREAS, the premises on Lot 57-J-1 (Coscia Property) have been vacated and can now be demolished; and

WHEREAS, Bruce H. Smith Contracting has offered to demolish the buildings (excepting slab) and clean up the site for \$6,500.00, provided that the landfill tipping fees are waived;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to engage Bruce H. Smith Contracting and waive the landfill tipping fees for the purpose of demolishing the buildings on Lot 57-J-1; and be it

FURTHER RESOLVED, that the funds for this project be a proper charge of Account #H-5160-409.

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RESOLUTION NO. (616-1988) Continued

On roll call the vote was as follows:

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

Co. Kunis said we have discussed a space study around the Town Hall and the Town Hall area. We committed ourselves to an answer by June 1st. He said he did not see it on the agenda tonight and he had not seen it on a workshop but he would like to get moving on it. He felt it should come up tonight.

Supervisor said if Councilman Kunis had a recommendation to make on a specific firm we can ask the Town Attorney, if the Board members are willing, to make such a resolution at the end of the meeting. He asked if that would be sufficient and Councilman Kunis said yes.

RESOLUTION NO. (617-1988)

CORRECTING RESOLUTION NO.
493-1988 RE AWARDING BID
#30-1988 - SALE OF SURPLUS
VEHICLES (H.O. PENN
MACHINERY CO. INC.,
BROOKFIELD AUTO WRECKERS,
INC., LIBERTY MOTORS, INC.,
AND MAAPA INTERN TRADING
CO.)

Co. Smith offered the following resolution:

RESOLVED, that Town Board Resolution No. 493-1988 is hereby corrected to read:

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

BID #30-1988
SALE OF SURPLUS VEHICLES

is hereby awarded to the following bidders as per the attached schedule of vehicles and proposed prices:

H.O. PENN MACHINERY CO. INC.
P.O. Box 3238, Noxon Road
Poughkeepsie, New York 12603

BROOKFIELD AUTO WRECKERS, INC.
End of Lamont Street
Elmsford, New York 10523

LIBERTY MOTORS INC.
1705 Kennedy Boulevard
Jersey City, New Jersey 07305

MAAPA INTERN TRADING CO.
503 Wales Avenue
Bronx, New York 10455

(Schedule of Vehicles and prices on file in Town 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. (618-1988)

CANCELLING BID #62-1988 FOR
REPAIR OF FMC SEWER JET
WATER TANK

Co. Kunis offered the following resolution;

RESOLVED, that

BID #62-1988
REPAIR OF FMC SEWER JET WATER TANK

is hereby cancelled for lack of response.

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. (619-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #71-1988 -
REPLACEMENT OF FMC SEWER
JET WATER TANK

Co. Maloney offered the following resolution:

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

BID #71-1988
REPLACEMENT OF FMC SEWER JET WATER TANK

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, June
27, 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. 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. (620-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #70-1988 - PARKING LOT
RENOVATION AT LAKE NANUET
PARK

Co. Maloney offered the following resolution:

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

Continued on Next Page

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RESOLUTION NO. (620-1988) Continued

BID #70-1988
PARKING LOT RENOVATION AT
LAKE NANUET PARK

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York at 3:00 P.M. on Thursday, July 7, 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. 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. (621-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #69-1988 -
RENOVATIONS TO THE FILTER
SYSTEM AT GERMONDS PARK
POOL COMPLEX

Co. Maloney offered the following resolution:

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

BID #69-1988
RENOVATIONS TO THE FILTER SYSTEM
AT GERMONDS PARK POOL COMPLEX

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 Thursday, July 7, 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. 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. (622-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #72-1988 -
COMPUTER AND WORD
PROCESSING SUPPLIES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (622-1988) Continued

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

BID #72-1988
COMPUTER AND WORD PROCESSING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. On Tuesday, July 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. 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. (623-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #77-1988 - CORRUGATED HIGH DENSITY POLYTHYLENE CULVERT PIPE

Co. Maloney offered the following resolution:

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

BID #77-1988
CORRUGATED HIGH DENSITY POLYTHYLENE CULVERT PIPE

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, July 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. 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. (624-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #76-1988 - ALUMINIZED STEEL TYPE 2 CULVERT PIPE

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (624-1988) Continued

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

BID #76-1988
ALUMINIZED STEEL TYPE 2 CULVERT PIPE

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, July 6, 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. 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. (625-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #75-1988 - RIVETED CORRUGATED STEEL CULVERT PIPE

Co. Maloney offered the following resolution:

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

BID #75-1988
RIVETED CORRUGATED STEEL CULVERT PIPE

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 Tuesday, July 5, 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. 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. (626-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #74-1988 - HELICALLY CORRUGATED STEEL CULVERT PIPE

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (626-1988) Continued

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

BID #74-1988
HELICALLY CORRUGATED STEEL CULVERT PIPE

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, July 5, 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. 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. (627-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #73-1988 -
HELICALLY CORRUGATED
ALUMINUM CULVERT PIPE

Co. Maloney offered the following resolution:

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

BID #73-1988
HELICALLY CORRUGATED ALUMINUM CULVERT PIPE

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, June 30, 1988 at which time bids will be opened and read, and be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

Councilwoman Smith inquired as to what these bids were for and Supervisor Holbrook stated that basically they were for the Highway Department. Councilman Maloney said they were for drainage. Superintendent of Highways, Mr. D'Antoni, said some of them were for his department but not all. Councilman Maloney said some of them were for sewers.

RESOLUTION NO. (628-1988)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING AT GERMONDS PARK,
GERMONDS ROAD, WEST NYACK

Co. Kunis offered the following resolution:

WHEREAS, the Town of Clarkstown Parks Board and Recreation Commission has requested an upgrade of existing lighting at Germonds Park, Germonds Road, West Nyack, in the area of the newly renovated/extended lower level parking lot, and the roadway access to the upper level ball fields, and

WHEREAS, Orange and Rockland Utilities, Inc., submitted a proposal dated June 8, 1988 for the requested lighting at Germonds Park,

NOW, THEREFORE, be it

RESOLVED, based upon the recommendation of Patricia A. Betz, Utility Services Coordinator, the Town Board of the Town of Clarkstown hereby accepts the proposal dated June 6, 1988 for the requested lighting at Germonds Park, as attached.

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. (629-1988)

SETTING PUBLIC HEARING WITH
RESPECT TO ABANDONMENT OF
PORTION OF FRANKLIN AVENUE,
NANUET

Co. Maloney offered the following resolution:

WHEREAS, a request has been made by MICHAEL WEINBERG and EUGENE JOHNSTON, that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of a right-of-way as shown on a map entitled, "Map of Franklin Park, Nanuet, New York, Harry F. Erny, Owner," filed in the Rockland County Clerk's Office on May 22, 1926 in Liber 5, at Page 18, as Map No. 813, for the unimproved portion of Franklin Avenue, as described in the attached Schedule "A," upon the grounds same has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown and said applicants have further requested that such abandoned road be deleted from same, and

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City,

Continued on Next Page

RESOLUTION NO. (629-1988) Continued

New York, on the 12th day of July, 1988, at 8:30 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said public hearing be published in the Journal News and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare said notice of public hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the Office of the said Clerk, and be it

FURTHER RESOLVED, that the applicants shall fulfill the additional requirements of Section 106-32(C) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notice to property owners of record within five hundred (500') feet of the affected property.

Seconded by Co. Carey

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

On roll call the vote was as follows:

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

Supervisor noted that item no. 18 (Granting Permission to Clarkstown Planning Board to Modify Subdivision Plats - Kehoe Homes - without use of Town Law 281) was being held off. Councilman Maloney said because of the fact that they had received a memo dated 6/14/88 from the Building Inspector indicating that if we take this action it will not conform to the zoning. We are going to let the Planning Board and the Building Inspector straighten it out.

RESOLUTION NO. (630-1988)

SETTING PUBLIC HEARING RE
ZONE CHANGE PETITION OF
PARKER-NANUET ASSOCIATES

Co. Maloney offered the following resolution:

WHEREAS, PARKER-NANUET ASSOCIATES, has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described as follows:

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

2. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.03, from a PED District to an MF-2 District, as shown on Schedule "B" attached;

3. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 13.2, from an LIO District to a PED District, as shown on Schedule "C" attached;

Continued on Next Page

RESOLUTION NO. (630-1988) Continued

4. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.2, from a PED District to a Modified PED District, as shown on Schedule "D" attached ;

5. Property designated on the Clarkstown Tax Map as Map 164, Block A, Lots 12.4, 12.5 and 13.1, to remain in a PED District, as shown on Schedule "E" attached.

WHEREAS, a Draft Environmental Impact Statement (DEIS) was submitted to the Town of Clarkstown concerning Parker-Nanuet Associates' request for a zone change from LIO and PED Districts to MF-2 and PED Districts to permit the development of an office, warehouse and industrial uses, and multi-family housing on approximately ninety acres of property, and

WHEREAS, the Planning Consultants of the Town of Clarkstown by report dated May 4, 1988 have examined the DEIS;

NOW, THEREFORE, be it

RESOLVED, as follows:

That the said DEIS is complete and is hereby accepted by the Town Board of the Town of Clarkstown, for the purpose of consideration pursuant to Article 8, State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law, and be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 16th day of August, 1988 at 8:05 P.M. and be it

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

(Schedules A, B, C, D and E on file in Town Clerk's Office)

(At this point Supervisor asked Mr. Robert Geneslaw to make a comment regarding this. Mr. Geneslaw said he reviewed the DEIS for completeness purposes and felt generally it was acceptable but there were two areas where they thought some additional information should be provided. He said in their memorandum to the Town Board, which was referred to in the reading of the public hearing notice, we suggested that a supplemental DEIS be requested from the applicant to cover two points: to extend the traffic study beyond the limits that had been used and secondly, to reevaluate the amount of development that could take place under present zoning. The evaluation that was made by the applicant implies that the complete floor area ratio could be accommodated on the site and they did not think that would be possible.

Supervisor said so the first thing would be to extend the traffic study. Mr. Geneslaw said we would extend the traffic study and we would suggest that the analysis of potential development under present zoning be revised. He said that could be done either as a supplement to the DEIS or it could be done during the public review period. That means that if it is done during the public review period and brought in later the public would not have as much opportunity to review it. The choice is really the Board's as to how to proceed.

Supervisor asked what the Planning Board would prefer in this regard? Mr. Geneslaw said they had recommended a

Continued on Next Page

RESOLUTION NO. (630-1988) Continued

supplemental DEIS. He said he did not know if the Planning Board took a position one way or the other.

Supervisor asked Town Attorney Murray Jacobson if it would be possible for the Town Board to amend the resolution requesting a supplemental DEIS if that is what the Town Board's pleasure is? Mr. Jacobson said are you talking about keeping the August date? Supervisor said that might change if the time table is too tight. Councilman Maloney asked if there was that much to be done? Mr. Geneslaw said he would suspect that most of the data has been collected but he thought it had not been analyzed and presented but he could not say for sure.

Mr. Tracy said they became aware of that request for information only very recently and as soon as they were aware of it they implemented the procedures with our engineers to have that matter completed. It should be completed in a week or two and we would respectfully request that it be considered as part of the FEIS during the public comment period because it will be in a good fifteen days before the thirty day period expires. Mr. Tracy said, in addition, they feel somewhat put upon because they did not get the information until some thirty to sixty days after Mr. Geneslaw had sent it to the Town Board because they never got a copy of it. He said they would appreciate the Town adopting the procedure to make it part of the FEIS with their commitment to get it into Mr. Geneslaw within the next two weeks.

Supervisor asked what the pleasure of the Town Board was with regard to this?

It was agreed that was acceptable.

Mr. Jacobson said there is a second motion to have a public hearing relative to the DEIS. Supervisor said it is currently for the same day and Mr. Jacobson said yes. Supervisor asked if that was satisfactory to Mr. Geneslaw? He agreed.)

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. (631-1988)

ACCEPTING DRAFT
ENVIRONMENTAL IMPACT
STATEMENT AND SETTING
PUBLIC HEARING REGARDING
PARKER-NANUET (DEIS)

Co. Maloney offered the following resolution:

WHEREAS, PARKER-NANUET ASSOCIATES, has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described as follows:

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

2. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.03, from a PED District to an MF-2 District, as shown on Schedule "B" attached;

Continued on Next Page

RESOLUTION NO. (631-1988) Continued

3. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 13.2, from an LIO District to a PED District, as shown on Schedule "C" attached;

4. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.2, from a PED District to a Modified PED District, as shown on Schedule "D" attached ;

5. Property designated on the Clarkstown Tax Map as Map 164, Block A, Lots 12.4, 12.5 and 13.1, to remain in a PED District, as shown on Schedule "E" attached.

WHEREAS, a Draft Environmental Impact Statement (DEIS) was submitted to the Town of Clarkstown concerning Parker-Nanuet Associates' request for a zone change from LIO and PED Districts to MF-2 and PED Districts to permit the development of an office, warehouse and industrial uses, and multi-family housing on approximately ninety acres of property, and

WHEREAS, the Planning Consultants of the Town of Clarkstown by report dated May 4, 1988 have examined the DEIS;

NOW, THEREFORE, be it

RESOLVED, as follows:

That the said DEIS is complete and is hereby accepted by the Town Board of the Town of Clarkstown, for the purpose of consideration pursuant to Article 8, State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law, and be it

FURTHER RESOLVED, that a public hearing be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 16th day of August, 1988 at 8:10 P.M., relative to the said DEIS, and be it

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

(Schedules A, B, C, D and E on file in Town Clerk's Office)

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. (632-1988)

ACCEPTING DECLARATION OF COVENANTS (J.G.C. CORPORATION) FOR ROAD WIDENING STRIP ALONG ROUTE 9W

Co. Maloney offered the following resolution:

RESOLVED, that a Declaration of Covenants made by J.G.C. Corporation in connection with a Site plan known as J.G.C.

Continued on Next Page

RESOLUTION NO. (632-1988) Continued

Corporation, prepared by Atzl & Scatassa Associates P.C., dated May 1, 1987, last revised August 14, 1987, gratuitously conveying a 10 ft. road widening strip along Route 9W, a State road, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

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. (633-1988)

AUTHORIZING ATTENDANCE AT
COURSE 40 - PLUMBING
INSPECTOR JOHN WALSH

Co. Smith offered the following resolution:

RESOLVED, that John Walsh, Plumbing Inspector is authorized to attend Course 40, in the evening hours at 248A North Main Street, New City, New York from June 13 thru June 17, 1988, and be it

FUTHER RESOLVED, that there is no cost to the Town of Clarkstown.

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. (634-1988)

REFERRING REPORTS PREPARED
BY HOWARD LAMPERT TO
TRAFFIC AND TRAFFIC FIRE
SAFETY ADVISORY BOARD
(HILLTOP ROAD AT JOLLIFEE
AVENUE, CONGERS, WEST NYACK
ROAD, WEST NYACK, ELAINE
DRIVE AT WOODLAND ROAD, NEW
CITY)

Co. Maloney offered the following resolution:

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

Hilltop Road at Jolliffee Avenue, Congers (dated 4/21/88)
(Proposed installation of Yield, Dead End and Weight
Limit 4 Tons signs)

West Nyack Road, West Nyack (dated 5/25/88)
(Report is entitled "Truck Prohibition" but is not

RESOLUTION NO. (634-1988) Continued

recommended. Proposed repair of sidewalk, south side West Nyack Road area West Nyack Elementary School.)

Elaine Drive at Woodland Road, New City (dated 6/2/88)
(Proposed installation of Stop sign on Elaine Drive at Woodland Road.)

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. (635-1988)

AUTHORIZING ATTENDANCE AT
TWO DAY TRAINING SESSION
FOR TWO MECHANICS -
CLARKSTOWN MINI TRANS -
CHARGE TO ACCOUNT #1010-414

Co. Kunis offered the following resolution:

WHEREAS, the bus chassis manufacturer has changed the type engine used by Clarkstown Mini-Trans vehicles, and the older model will soon become obsolete,

NOW, THEREFORE, be it

RESOLVED, attendance is authorized for two mechanics at a two-day training session in Pennsauken, New Jersey, at a cost not to exceed \$380.00 each.

Such funds to be appropriated from Account #1010-414 (Conferences and Schools.)

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. (636-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
ALAN MILLER

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated May 19, 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 in the said Town, to be bounded and described as follows:

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

Continued on Next Page

RESOLUTION NO. (636-1988) Continued

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 July, 1988, at 8:01 P.M. DT 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. 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. (637-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
NILES DAVIES, JR.

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated May 17, 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 Clarktown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

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 July, 1988, at 8:00 P.M. DT 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. 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. (638-1988)

ACCEPTING DEED FROM ALAN C.
MILLER AND BRUCE H. MILLER
FOR ROAD WIDENING ALONG
MOUNTAINVIEW AVENUE, VALLEY
COTTAGE, NEW YORK (ALAN
MILLER SUBDIVISION)

RESOLUTION NO. (638-1988) Continued

Co. Smith offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as ALAN MILLER, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Mountainview Avenue, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, deed dated May 12, 1988, from ALAN C. MILLER and BRUCE H. MILLER to the Town of Clarkstown gratuitously conveying a strip of land along Mountainview Avenue, Valley Cottage, New York 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. (639-1988)

AUTHORIZING PLANNING BOARD
TO APPLY TOWN LAW SECTION
281 TO SUBDIVISION OF
FALLSVIEW, CONGERS

Co. Maloney offered the following resolution:

WHEREAS, Theodore F. Atzl, P.L.S., Surveyor and Planner, has made application for Messrs. DiGioia and Mitlof, the owners of the premises shown on a proposed subdivision map known as "Fallsview" for property located to the westerly side of Old Lake Road, Congers, New York, for use of Town Law Section 281 in connection with said subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended the approval of the use of Town Law Section 281 in connection with this subdivision because the density layout provides for improved design, less disturbance to the land with the preservation of some mature trees, and homes to be built away from the flood plain area, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 authorization is granted for the development of the property shown on such proposed subdivision map entitled, "Density Layout, Exhibit B, Subdivision of Property for Fallsview," Town of Clarkstown, County of Rockland, New York, dated January 26, 1987 and last revised on April 25, 1988, prepared by Atzl & Scatassa Associates, P.C., subject to the following conditions:

Developer to comply with all rules, regulations, and requirements of law;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision, subject to the conditions stated above.

Continued on Next Page

RESOLUTION NO. (639-1988) 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. (640-1988)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE (NICK
F. BADAMI)

Co. Kunis offered the following resolution:

RESOLVED, that Nick F. Badami, 2 Ethel Drive, New City, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective June 14, 1988 and to expire on June 13, 1991.

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. (641-1988)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(GERALD COLUCCI)

Co. Kunis offered the following resolution:

RESOLVED, that Gerald Colucci, 26 Lowerre Place, Valley Cottage, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective June 14, 1988 and to expire on June 13, 1991.

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. (642-1988)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(WILLIAM GRIFFIN)

Co. Kunis offered the following resolution:

Continued on Next Page

RESOLUTION NO. (642-1988) Continued

RESOLVED, that William Griffin, 2 Berry Court, Congers, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective June 14, 1988 and to expire on June 13, 1991.

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. (643-1988)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(GERHARD KRAUSE)

Co. Kunis offered the following resolution:

RESOLVED, that Gerhard Krause, 73 Highview Avenue, Nanuet, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective June 14, 1988 and to expire on June 13, 1991.

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. (644-1988)

CREATING POSITION OF
(TEMPORARY) LABORER -
SANITARY LANDFILL

Co. Kunis offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on June 10, 1988 that the position of (temporary) Laborer - Sanitary Landfill - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of (temporary) Laborer - Sanitary Landfill - is hereby created effective anjd retroactive to June 13, 1988 for a period not to exceed six (6) months.

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. (645-1988)

APPOINTING TO POSITION OF
(TEMPORARY) LABORER -
SANITARY LANDFILL (MICHAEL
KELLY)

Co. Kunis offered the following resolution:

RESOLVED, that Michael Kelly, 39 Twin Elms Lane, New City, New York, is hereby appointed to the position of (temporary) Laborer - Sanitary Landfill - at the 1988 hourly rate of \$7.92, effective and retroactive to June 13, 1988 - for a period not to exceed six (6) months.

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. (646-1988)

RECOGNIZING APPOINTMENT BY
THE PARKS BOARD AND
RECREATION COMMISSION OF
GROUNDWORKER (JOSEPH HEIM)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Joseph Heim, 4 Sunnyside Avenue, Middletown, New York, as Groundworker, at the current 1988 annual salary of \$16,534.00, effective June 6, 1988.

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. (647-1988)

RECOGNIZING APPOINTMENT OF
ROBERT KAMINSKI AS
(TEMPORARY) LABORER - TOWN
HIGHWAY DEPARTMENT -BY
SUPERINTENDENT OF HIGHWAYS
POSITION ENCUMBERED BY
ANDREW BUTLER

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Robert Kaminski, 7 Scarlett Court, New City, New York, as a (temporary) Laborer - Town Highway Department (position encumbered by Andrew Butler) - at the current 1988 annual salary of \$16,534.00, effective and retroactive to May 31, 1988.

Seconded by Co. Maloney

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (647-1988) Continued

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

RESOLUTION NO. (648-1988)

RECOGNIZING APPOINTMENT OF
ROBERT CAGGIANO AS
(TEMPORARY) LABORER - TOWN
HIGHWAY DEPARTMENT - BY
SUPERINTENDENT OF HIGHWAYS
(POSITION ENCUMBERED BY
MICHAEL MURPHY)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Robert Caggiano, 35 Whitman Street, Congers, New York, as a (temporary) Laborer - Town Highway Department (position encumbered by Michael Murphy) - at the current 1988 annual salary of \$16,534.00, effective and retroactive to June 6, 1988.

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. (649-1988)

ACCEPTING RESIGNATION OF
PART-TIME BUS DRIVER - MINI
TRANS DEPARTMENT (WINSTON
HAMILTON)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Winston Hamilton, 4 West 4th Street, Mount Vernon, New York, part-time Bus Driver - Mini Trans Department - is hereby accepted - effective and retroactive to May 2, 1988.

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.(650-1988)

APPOINTING MEMBERS OF
REALLOCATION COMMITTEE
(STEVEN KUNIS, ELIZABETH
SQUILLACE AND JOANN GEARY)

Co. Kunis offered the following resolution:

Continued on Next Page

RESOLUTION NO. (650-1988) Continued

RESOLVED, that Steven Kunis, Elizabeth Squillace and Joann Geary are appointed as Members of the Reallocation Committee.

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. (651-1988)

APPOINTING TO POSITION OF
MEMBER - ZONING BOARD OF
APPEALS (PHYLIS BULHACK)

Co. Kunis offered the following resolution:

RESOLVED, that Phylis Bulhack, 9 Westgate Boulevard, New City, New York, is hereby appointed to the position of Member - Zoning Board of Appeals - to serve for an annual fee of \$1,250.00, term effective June 19, 1988 and to expire on June 18, 1993.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

At this point Councilman Carey made the following statement regarding Dr. David Kraushaar, former member of the Zoning Board of Appeals:

"I would like to commend Dr. David Kraushaar, whose term as a member of the Zoning Board of Appeals has expired, for his outstanding service to the ZBA both as a member and as Chairman. As I have previously noted, Dr. Kraushaar has dedicated untold hours to making the ZBA one of the most effective and professional in the State of New York. During his tenure as Chairman, there was no backlog of cases. All procedures were handled in a most timely fashion. Dr. Kraushaar visited every site before rendering his decision and never had any other interest but the good of Clarkstown. The citizens of Clarkstown will sorely miss him. The Town has lost a most beneficial presence on the Zoning Board of Appeals."

Supervisor Holbrook stated that Dr. Kraushaar served the Town of Clarkstown well and we wish him well in whatever endeavors he chooses to take up.

RESOLUTION NO. (652-1988)

AWARDING OF ANNUAL SUM TO
VARIOUS VETERANS'
ORGANIZATIONS - CHARGE TO
1988 ACCOUNT #A-6510-401

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTIN NO. (652-1988) Continued

In accordance with Section 64 subdivision 13 of Town Law, the Town Board of the Town of Clarkstown appropriates the annual sum of \$500 to each of the following Veterans' Organizations (attached) for the purpose of assisting in defraying the rental, lease or maintenance of meeting rooms for their organization.

Claims for such sum shall be made annually by each organization and submitted to the Town Board for audit and disbursement.

Such funds shall be charged against 1988 Account #A-6510-401.

(List of Organizations on File in Town Clerk's Office.)

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. (653-1988)

AUTHORIZING SETTLEMENT OF TAX CERTIORARI (VISTA GARDENS ASSOCIATES V. BOARD OF ASSESSORS AND BOARD OF ASSESSMENT REVIEW OF TOWN OF CLARKSTOWN) AND FURTHER PROCEEDINGS - NEW YORK CAPITAL, INC. AND NORTHGATE GARDENS LIMITED PARTNERSHIP

Co. Smith offered the following resolution:

WHEREAS, proceedings were commenced in Supreme Court, State of New York, County of Rockland, entitled VISTA GARDENS ASSOCIATES vs. THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN affecting parcels 120 H, Lot 20.01 and 120 H, Lot 12.1 for the years 1982/83 and 1983/84, and

WHEREAS, further proceedings were brought under the name of NEW YORK CAPITAL, INC. AND NORTHGATE GARDENS LIMITED PARTNERSHIP (CONTRACT VENDEE) against THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN, for the years 1985, 1986 and 1987 affecting parcels designated as Map 120, Block H, Lot 20.01 and Map 120, Block H, 12.1, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings and discontinue with prejudice and without costs, that the premises owned by the petitioners described on the assessment roll as Map 120, Block H, Lot 20.01 be reduced on the 1982/83 and 1983/84 assessment roll from \$730,000 to \$680,000, and

1. That the parcel designated on the assessment roll as Map 120, Block H, Lot 12.1 be discontinued with prejudice for the years 1982/83 and 1983/84, and

2. That reimbursement for each of the aforesaid years on parcel Map 120, Block H, Lot 20.01 be made by the Town of Clarkstown and made payable to Siegel, Fenchel & Peddy, P.C., as attorneys, together with interest at 9% in accordance with Statute, and

Continued on Next Page

RESOLUTION NO. (653-1988) Continued

3. That the proceeding commenced by the petitioner, New York Capital, Inc. Limited Partnership (Contract Vendee) affecting lots 20.01 and 12.1 be discontinued with prejudice for the years 1985/86, 1986/87, 1987/88, and

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (654-1988)

CANCELLING LIS PENDENS -
MAP 88, BLOCK A, LOT 13
(WEINER)

Co. Carey offered the following resolution:

RESOLVED, that the condition complained of in the Order and Notice Pursuant to Town Code, Chapter 31, dated April 12, 1988, for premises designated on the Clarkstown Tax map as MAP 88, BLOCK A, LOT 13 has been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of Lis Pendens filed in the Rockland County Clerk's Office on April 21, 1988, upon the receipt of payment in the sum of \$239.40 to reimburse the Town for the cost of the proceeding, in accordance with the attached statement and all other expenses.

(Statement of Costs on file in Town 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. (655-1988)

ASSESSING COSTS FOR CHAPTER
79 PROCEEDING - MAP 139,
BLOCK B, LOT 20 (KLOEK)

Co. Maloney offered the following resolution:

WHEREAS, a proceeding pursuant to Chapter 79 of the Code of the Town of Clarkstown was duly instituted against premises known and described on the Tax Map of the Town of Clarkstown as MAP 139, BLOCK B, LOT 20, and

RESOLUTION NO. (655-1988) Continued

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 \$1,350.09;

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 \$1,350.09 to reimburse the Town for the cost of the proceeding pursuant to the attached statement.

(Statement of Charges on File in Town Clerk's Office.)

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. (656-1988)

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

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby extends the time for comments and recommendations of the Clarkstown Planning Board with respect to Clinton Square Plaza, Inc. petition for a change of zone to September 1, 1988.

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. (657-1988)

AMENDING TIPPING FEE SCHEDULE AT CLARKSTOWN SANITARY LANDFILL

Co. Maloney offered the following resolution:

WHEREAS, a proposal has been made by the Director of the Department of Environmental Control and the Landfill Supervisor, that the Town Board amend the fee schedule established pursuant to Chapter 63 of the Town Code with respect to disposal of solid waste in the Clarkstown Sanitary Landfill, in anticipation of the increased costs of operating same in an environmentally safe manner and also to provide revenue for the expenses associated with the final closure of said facility, and

RESOLUTION NO. (657-1988) Continued

WHEREAS, that pursuant to Section 63-8 of the Town Code, the fee schedule for the disposal of solid waste in the Clarkstown Sanitary Landfill, effective July 2, 1988, shall be as follows:

1. Tires:

- (a) Passenger Vehicles - Up to and Including 15" diameter - \$ 2.00 per tire
- (b) Trucks - Tires of 15" diameter - \$ 5.00 per tire
- (c) All tires in bulk - \$200.00 per ton
or \$.10 per pound

2. Stumps - \$50.00 per ton

3. Effective 7/2/88 - Tires with rims will not be accepted; Tires in excess of 22" diameter will not be accepted.

and be it

FURTHER RESOLVED, that the Director of Environmental Control shall immediately post the revised fee schedule and notify all licensed carters and others regularly using the Clarkstown Sanitary Landfill of the revisions as soon as possible, and be it

FURTHER RESOLVED, that the revisions pursuant to this resolution shall be effective at 8:00 A.M., July 2, 1988.

(Councilwoman Smith asked if there was a charge to Clarkstown residents and Supervisor said residents can bring their tires to the landfill free of charge.)

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. (658-1988)

AUTHORIZING CREATION AND CONSTRUCTION OF ROAD IMPROVEMENT FOR "T" STRUCTURE ROAD (LENOX AVENUE, CONGERS)

Co. Maloney offered the following resolution:

WHEREAS, the Director of Environmental Control was directed to make an estimate of costs and expenses to establish a road improvement district for premises fronting on Lenox Avenue, Congers, New York, lying between Tremont Avenue and Highway Avenue, and

WHEREAS, by report dated April 5, 1988, the Director of Environmental Control duly presented to the Town Board an estimate of cost of the proposed project, and

WHEREAS, by resolution adopted on April 12, 1988, the Town Board ordered that a public hearing be held on the 24th day of May, 1988 at 8:00 P.M., to consider the creation of such road improvement district, and

WHEREAS, decision was reserved by the Town Board, and

Continued on Next Page

RESOLUTION NO. (658-1988) Continued

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof who appeared at such time and place, concerning same, and

WHEREAS, the maximum amount proposed to be expended for the improvement as a "T structure," as described in the estimate and plan of the Director of Environmental Control is \$147,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines from the evidence offered at the public hearing and all documents made part of the record that it is in the public interest to make the said improvement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown, does hereby authorize and approve the improvement of a portion of Lenox Avenue, Congers, as a "T structure," road, for a frontage distance of approximately 1675 lineal feet, and be it

FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is \$147,000.00, and be it

FURTHER RESOLVED, that the Director of Environmental Control shall survey, or cause to be surveyed, the above described portion of Lenox Avenue, Congers, and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clerk of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed, after completion of the survey work described herein, to prepare definite plans and specifications, and with the assistance of the Town Attorney, to prepare the project plans for completion by the Department of Highway personnel, and thereafter to oversee the work required for such improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed to apportion the cost of the project for assessment against the benefitted parcels on the basis of a percent front foot formula for frontage on Lenox Avenue, Congers, so that all parcels shall make the same per front foot contribution, and be it

FURTHER RESOLVED, that pursuant to Section 200 (10) of the Town Law, this resolution shall be subject to Permissive Referendum.

(Councilwoman Smith said at the Workshop the other night there were four or five listed that said double frontage but in fact they really do not have double frontage. She said she had talked to some of the people and they are not adverse to paying as if there was only one entrance in the full amount. She said she would like to see that settled. She also said that the road is deplorable. She has spoken to the people on Highway Avenue and they are not against the improvement on Lenox. They feel that it should be done because the people are suffering there. She said the drainage problem that exists there is partially the fault of the Town and she would like to see part of that drainage cost absorbed by us. She said the Supervisor mentioned a price - we really do not want to go anywhere near that maximum. We are trying to trim the cost in every way by using our Highway Department and in any other way possible. Supervisor said Councilwoman Smith speaks for the Town Board in this matter. The figure given is up to a certain amount but that does not mean that we have to spend it.

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RESOLUTION NO. (658-1988) Continued

Councilwoman Smith said many have asked when this would be completed and she said she knew that the Highway Department has already set their schedule for this spring and this summer. She said she did not want to make any false promises. She did not know what Mr. D'Antoni would be willing to say at this time either. As opposed to the through road versus the "T", most of the Town Board have gone out to look at it and they have reservations. They feel it is very dangerous to go through because of what you go out on to and also because you come very close to the houses on the left side of Lenox that are there. Unless jointly you can come to a different decision we favor going through with the "T.")

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

Councilman Kunis stated that last week he had the pleasure of attending the Annual Senior Citizens Picnic at the Pinebrook Country Club. He said Mr. Ghiazza and his staff did an excellent job.

Councilman Kunis said several months ago the Town Board voted to defer payments made by the Town of Ramapo regarding garbage pick-up for 1988. He asked if we have a signed contract returned from the Town of Ramapo. Supervisor Holbrook said he thought we had a resolution adopted by the Town of Ramapo that was sent to the Town of Clarkstown. Councilman Kunis asked if we had a signed contract. Supervisor Holbrook said he did not know. Town Attorney said it had been sent to them but whether we have received it back or not he did not know. Councilman Kunis said it should be followed up because you are talking about several hundred thousand dollars and if we do not have something signed in a week he will make a motion to rescind that resolution and vote that payments be made in 1988 on a pay as you go system. He said he would like it followed through please.

Councilman Kunis said we had mentioned a space study. We have had meetings. We have interviewed several architects and he said he was prepared to vote on a firm to undertake the space study. Supervisor asked if he wanted to put forward a name. Councilman Kunis said he would go with any local firm that we interviewed, number one being Mr. Degenshein, or Mr. William Eli Kohn. He had no problem with either one but he thought the space study should be undertaken immediately.

Supervisor asked if any Board members had any comments and Councilman Maloney said he would be ready to move on that. He said we had interviewed them and talked with them and read all their material. It is a question of deciding on which firm should get it so that they can prepare whatever they have to do. He said he would be willing to move a resolution that we adopt the proposal of Mr. Degenshein.

RESOLUTION NO. (659-1988)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
DEGENSHEIN DENKER ASSOCI-
ATES, P.C., FOR PREPARATION
OF SPACE STUDY OF TOWN HALL
AND TOWN OWNED PROPERTIES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (659-1988) Continued

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Degenshein Denker Associates, P.C., Architects and Planners, in a form satisfactory to the Town Attorney, for the preparation of a space study, pursuant to proposal dated April 26, 1988, of the Clarkstown Town Hall, Police and Justice Court building, Counseling Center building, Coyle property, Town property on Demarest Avenue, and the Town municipal parking lot on East Evergreen Road, New City, and be it

FURTHER RESOLVED, that the fee for such study shall not exceed the sum of \$29,000.00, and shall be charged to Account No. A 1620-409.

Seconded by Co. Smith

On roll call the vote was as follows

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

Councilman Kunis stated that he would vote for Mr. Degenshein but he wanted it known as a matter of public record that Mr. Degenshein did some private architectural work for him when he rebuilt his home some five and one half years ago.

Councilman Kunis asked to make a statement to the effect that over the past several months a communications gap has existed between the Supervisor's office and various departments. Just last meeting this Board voted 3-2 to approve an amendment to the Zoning Ordinance regarding Home Occupation. A recommendation by the County Planning Commissioner to the Supervisor's office dated February 22, 1988 regarding this amendment was received in the Supervisor's office on February 25, 1988. The Board discussed this at Workshop and passed this amendment May 24, 1988. During the discussions and prior to the vote no mention of the County Planner's recommendation with the conditions attached were ever presented to the Town Clerk, Town Attorney or Town Board. The record indicates that the Town Attorney was not notified until May 26, 1988, two days after this Town Board's vote was taken. The Town Clerk did not receive notice of this recommendation until June 13, 1988, twenty days after the vote was taken and three days after this notice was published in Friday, June 10th's edition of the Journal News. Actions of this nature can only make the public question the actions of their elected officials.

Councilman Kunis said he is an elected official and as a matter of principle he is asking this Town Board to rescind this motion and take a revote based on the complete information that should have been submitted prior to the vote. He stated that he was not questioning the validity of the amendment. However, he was questioning the validity of this Board not being given complete information prior to voting.

Councilman Kunis said he wanted to bring up examples of a pattern that seems to be developing. Letters sent to the Supervisor, co-addressed to Town Council Members, are not being copied and sent to the Town Council chambers. Letters from the County Planning Department sent to the Supervisor's Office regarding Palisades Center have not been copied and sent to Town Council Members. Councilman Kunis went on to state that the DGEIS information regarding correspondence from the County Planning Department dealing with the proposed zone change at the Ramapo

Continued on Next Page

Valley Airport has not been sent to Town Board Members and the applicant. He urged the Supervisor to please have his office staff disseminate all information in a timely and equitable way following the law to the fullest extent.

Councilwoman Smith said at the Workshop we discussed the Finnegan Contract which expires June 30th. Prior to renewing it, or even partially renewing it, she was requesting receiving a job description for every title that we have in the Assessor's office. She said she really believed that they should be hired for the special projects and for the pilot programs. She said she thought that a lot of what is in that proposal we should be able to take care of in house. She would like to see part of that money go right back to our own employees rather than outside contracts.

Supervisor said that is why it was on Workshop and he had no problem with that.

Councilman Kunis said at the Workshop we also discussed the sale of the Cobco property. He said he was ready to move the Cobco motion whether or not we should sell or keep it. Supervisor asked Councilman Kunis what his pleasure was? Councilman Kunis said he would like to keep the property and not sell it and he would make a motion to that effect. Councilman Carey asked which property this was? Supervisor said it is the property right outside the Landfill. Supervisor said his own personal feeling is that it warrants further discussion.

Councilwoman Smith said she agreed with the Supervisor and would like to fully discuss this.

Councilman Maloney said let's hold it at the next Workshop and this was agreed to by members of the Board.

Councilman Kunis said that about two and a half months ago they met with the New City Chamber of Commerce and discussed the striping of Main Street, New City; the striping of Maple Avenue in New City; and the enforcement of parking regulations in New City. These were requests made by the Chamber of Commerce at a meeting to which he had been invited. He said when they discussed this they were told that it would be done when the weather gets warmer. He said they met with them in March. It is now June. The weather is warm and we have to get the job done.

Supervisor said he had spoken with the Superintendent of Highways and he is prepared to go ahead with this.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to the Official Map of the Town of Clarkstown - Road through Rockland Corporate Park, St. Regis and Prentice Hall) was opened, time: 9:05 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Amendment to the Official Map of the Town of Clarkstown - Road through Rockland Corporate Park, St. Regis and Prentice Hall) was closed, DECISION RESERVED, time: 9:37 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Abandonment of Portion of Terrace Avenue, Congers, was opened, time: 9:38 P.M.

Continued on Next Page

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the Public Hearing re; Abandonment of Portion of Terrace Avenuer, Congers, was closed, RESOLUTION ADOPTED, time: 9:41 P.M.

RESOLUTION NO. (660-1988)

ABANDONING PORTION OF
TERRACE AVENUE, LYING
BETWEEN NORTHERLY SIDE OF
QUASPEAK ROAD AND SOUTHERLY
SIDE OF JOLLIFFEE STREET,
CONGERS AND AMENDING
OFFICIAL MAP OF TOWN OF
CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of April, 1988, provided for a public hearing on the 14th day of June, 1988 at 8:05 P.M., or as soon thereafter as possible, to consider the abandonment pursuant to Section 205 of the Highway Law and the deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of a portion of Terrace Avenue, lying between the northerly side of Quaspeak Road and the southerly side of Jolliffe Street, Congers, New York, as shown on Schedule "A" attached, and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated March 23, 1988, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the abandonment shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that a portion of Terrace Avenue, lying between the northerly side of Quaspeak Road and the southerly side of Jolliffe Street, Congers, New York, as shown on Schedule "A" attached, is hereby declared abandoned by the Town of Clarkstown pursuant to Section 205 of the Highway Law, and be it

FURTHER RESOLVED, that the Official Map of the Town of Clarkstown is hereby amended by deleting therefrom a portion of Terrace Avenue, Congers, as shown on Schedule "A" attached, and be it

FURTHER RESOLVED, that the attached Recommendation of the Superintendent of Highways of the Town of Clarkstown that a Highway be Abandoned is hereby ordered to be recorded in the Rockland County Clerk's Office and filed in the Town Clerk's Office.

(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

On Motion of Councilman Carey and seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to the Zoning Ordinance - Buffer/Buffer Area was opened, time: 9:42 P.M.

On Motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to the Zoning Ordinance - Buffer/Buffer Area was closed, DECISION RESERVED, time: 9:52 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Chapter 31 Violation Hearing - Kiegler (Hi-Rock Construction) was opened, time: 9:53 P.M.

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the Public Hearing re: Chapter 31 Violation Hearing - Kiegler (Hi-Rock) was closed, RESOLUTION ADOPTED, time: 10:14 P.M.

RESOLUTION NO. (661-1988)

AUTHORIZING BUILDING
INSPECTOR TO PERFORM
CORRECTIVE ACTION - CHAPTER
31 PROCEEDING - KIEGLER
(HIGH ROCK) IF CONDITION
EXISTS UNCORRECTED ON OR
AFTER JUNE 24, 1988

Co. Maloney offered the following resolution:

WHEREAS, by resolution dated May 24, 1988, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 31 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 127, Block L, Lot 27, to remove or correct certain conditions which are unsafe, dangerous and a threat to the the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on June 14, 1988, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law; and

WHEREAS, at said hearing the owner(s) advised that the building in violation will be demolished by June 24, 1988, and a new building constructed on the same foundation area;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice pursuant to Chapter 31 of the Code of the Town of Clarkstown dated May 24, 1988, have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown be and he hereby is authorized and directed to perform the corrective action ordered in said Order and Notice, if such condition continues uncorrected on or after June 24, 1988, and be it

FURTHER RESOLVED, that a certified survey showing the location of the existing building that is to be demolished be furnished to the Building Inspector and that all other requirements of the Town Code and the Building Inspector be complied with prior to the construction of a new building, and be it

Continued on Next Page

RESOLUTION NO. (661-1988) Continued

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to the costs of this proceeding, and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

Seconded by Co. Kunis

On roll call the vote was as follows:

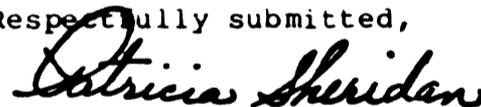
Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

On motion of Councilman Maloney, seconded by Councilwoman Smith the continuation of the hearing on Amendment to the Zoning Ordinance re: MF-4 Regulations was opened, time: 10:15 P.M.

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted (Councilwoman Smith absent for this vote), the continuation of the Public Hearing on Amendment to the Zoning Ordinance re: MF-4 Regulations was closed, DECISION RESERVED, time: 10:55 P.M.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted (Councilwoman Smith absent for this vote), the Town Board Meeting was declared closed.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

53

Town Hall

6/14/88

9:05 P.M.

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

RE: AMENDING THE OFFICIAL MAP OF TOWN OF CLARKSTOWN
(ROAD THROUGH ROCKLAND CORP. PARK, ST. REGIS & PRENTICE
HALL)

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

Supervisor asked Mr. Geneslaw to describe the proposed amendment to the official map and any other pertinent information that he thought relevant.

Mr. Geneslaw said the background of this particular proposal to place an additional road on the official map started when the Town reviewed the proposal for the St. Regis Office Building. A traffic study was done on behalf of St. Regis by their Traffic Engineering Consultants and the result of that study was that their new building in the Tech Center could not be adequately served by West Nyack Road. That study was done at the very beginning of the State Environmental Quality Review Act. We, the Town, and St. Regis look for ways to mitigate the traffic impact. St. Regis agreed to go on a staggered schedule for their employees in order to spread the peak morning and afternoon traffic out a little bit more. We know from the traffic study that with that development itself, if that building were fully occupied, West Nyack Road would not be adequate to handle the traffic. When the office park to the east of Prentice Hall was proposed, that developer also did a traffic study and as a result of that traffic study Crossfield Road was built by the developer with the intention of it being dedicated to the Town. In addition to that an east/west road was built in the office park that extended to the Prentice Hall property line.

The Planning Board required that Prentice Hall show on its property along the easterly and northerly boundary a proposed extension of the road in the office park so that it could ultimately have additional traffic relief for the nonresidential development that would be along West Nyack Road. The purpose of the public hearing tonight is for the Town Board to consider whether that road shown on this subdivision map should be added to the official map of the Town and should be extended through the St. Regis parcel up to West Nyack Road. We have suggested that it be shown on the official map and that the point at which the road meets West Nyack Road be directly opposite the driveway to the Tech Center. As the property to the east of the former St. Regis Office Building is developed that traffic can be directed across West Nyack Road to the internal road through the edge of Prentice Hall and up to Crossfields. The alternative would be for all of that traffic to use West Nyack Road. It will require either a widening of West Nyack Road or developing West Nyack Road at a level of intensity considerably below what the zoning would otherwise permit. He said he would answer any questions the Board Members might have.

Supervisor said you have had discussions with the representatives of Champion - isn't that correct?

Mr. Geneslaw said they had a lengthy discussion last week at the TAC meeting with representatives of Gibraltar Management, the office park, Prentice Hall, and Champion. Their general position was that they would very much prefer that the road not be shown on the official map at this time.

Continued on Next Page

Supervisor said the Town Board wants to go ahead with the public hearing but I think that the concern was that the road would disappear and that we were concerned that it would go behind peoples' homes and so we thought we would hold a hearing and consider reserving decision. Is that something that would be acceptable to the Planning Board at this time?

Mr. Geneslaw said he had not asked the Planning Board whether that specifically would be acceptable. I know that the Planning Board is anxious to have the road on the official map so that as either subdivision or site plan reviews are undertaken for those properties the Town has some certainty of having the road installed. We've seen other instances where roads have been shown on the official map and have been taken off the official map and never built.

The Supervisor said that the Town Board's concern is when the road is shown on the official map that it does not run behind the residents' homes. It is not shown that way.

Mr. Geneslaw said that there has intermittently been suggestions that a new road be added along what would be the western boundary of Prentice Hall. Everytime we have looked at it our response has been that it simply does not make any kind of sense. There are a whole variety of problems with it including a strong potential that Brook Hill would have to be closed to residential traffic which means that all the residential traffic would have to come off West Nyack Road. It's far too many single family homes to be served by emergency services. We would absolutely oppose a road along the westerly boundary of Prentice Hall.

Councilwoman Smith referred to a diagram at this point and asked, On this diagram, we're saying that this would connect and come out?

At this point Mr. Geneslaw referred the Town Board Members to the map and there was extensive discussion on this.

Supervisor asked if there were any other questions the Town Board had or if anyone present would like to make a comment.

Appearance: Michael Fury
Attorney for Prentice Hall and
Gulf Western Realty Corp.

Mr. Fury read the Application to Defer, which is on file in the Town Clerk's Office.

Councilwoman Smith raised another point and again there was reference to the maps involving Councilwoman Smith, Mr. Fury and Mr. Geneslaw and all members of the Town Board.

Appearance: Emma Gross
West Nyack

She said she was one of the neighbors that Mr. Fury said they talked to. Ms. Gross said she is home all day long and no one ever came to her and talked to her about it and as far as going into a nursing home, I don't intend to go into a nursing home.

Appearance: Mr. Volpati
597 West Nyack Road
West Nyack

He said he borders the former Prentice Hall Property which is now Crossfields. He said the road looks very threatening and he agrees with the lawyer of Prentice Hall. He said he does not see any need at the moment. He said this road is not needed and should not go in there.

Appearance: Janet Bookbinder
7 Indian Drive
West Nyack

She said she wanted to thank the Town Board for their genuine desire to preserve a community that would be directly affected by the placement of the road in question. She said she could not support the road as it is currently proposed. She said the road could end up 500 feet or more from her home. She hoped the Board would withdraw this proposed road until such time as it becomes a necessity and can be discussed based on what is, rather than what might be.

Appearance: Alan Peterson

He said he worked with the representative in marketing the property for Champion International. He said that Champion felt it was a little too premature to identify where the location of the road would be. They do not want to come out and say the road is not necessary but they think that going ahead and locating the road on the property would in some respects compromise the development potential of the land. They would prefer that the Town Board defer decision on this until such time as a developer comes forward; identifies the optimal use of the property; works with the Planning Board to locate an access Road to tie up with the Prentice Hall Road; and optimize the development of the property. Champion has been working with the Town Attorney on some language that says they will cooperate with the Town with regard to a subdivision application that is before the Planning Board now and we understand that, with this language and the willingness to cooperate in supplying the missing link of the road over Champion property, that we will in effect preserve the Town's ability to put this road in at a future date.

Appearance: Pat Rizzo
4 Bull Run
West Nyack

He said that he agreed with Mr. Peterson and the representatives of Prentice Hall that it should not be put on the official map at this time.

Appearance: Len Goldberg
7 Indian Drive
West Nyack

Mr. Goldberg said all the people he spoke to are not in favor of this road. He said there are 88 families in the development and they would like to see commercial and industrial traffic kept out. He said he would like the Board to go on record in having that road with noise abatements and lighted in such a way that it is the least obtrusive to the community..

On motion of Councilman Maloney, seconded by Councilman Smith and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 9:37 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/14/88

9:38 P.M.

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

RE: ABANDONMENT OF PORTION OF (TERRACE AVENUE)

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

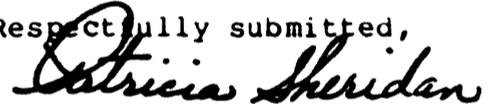
Supervisor asked Planning Consultant Mr. Robert Geneslaw and anyone present if they had any comments on Terrace Avenue?

Appearance: Joseph Deutch, Esq.

Mr. Deutch said he was the Attorney Representing the Applicants, Barry and Linda Goldberg. Mr. Deutch said nine owners have property that backs up the property in question and no one had property that fronts on Terrace Ave. The property owner to the east, the Palisades Interstate Park Commission, has said they do not oppose this application. Besides the applicant, four other owners said they do not oppose the abandonment of the street. The street goes literally nowhere to nowhere and will never be used as a street and he felt that it should be deleted.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 9:41 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (660-1988) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

59

Town Hall

6/14/88

9:42 P.M.

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

RE: AMENDMENT TO ZONING ORDINANCE (BUFFER/BUFFER AREA)

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

The Town Attorney said he had correspondence from the Rockland County Builders Association, County of Rockland Department of Planning and Robert Geneslaw, Planning Consultant.

Supervisor read the letters from the Rockland County Builders Association and from Robert Genslaw, Planning Consultant which are on file in the Town Clerk's Office.

Appearance: Mr. Bruckno

Mr. Bruckner said we considered allowing a vehicle overhang in the buffer. The reason we did not originally include that is because the two foot or so of a car which overhangs the planted area tends to drop oil and other kinds of pollutants onto the grass. After a while the grass will tend to die. That's the reason we didn't include that. We did change the buffers to our driveway to penetrate the buffers and lighting is allowed if it illuminates the driveway itself. We also did not think that adding signs in the buffer is appropriate at this point because in most of the zones the front yard buffer is narrow enough to allow a sign to be seen over the required buffer. In the LIO and LO where there are very deep front yards, there is no front yard buffer so a sign can be placed in the LO and LIO front yards.

Supervisor asked if there was anyone present who wished to comment on this proposed amendment?

Appearance: Jane Murphy
Shade Tree Commission

Ms. Murphy said she has been on the Shade Tree Commission for twenty-four years. She said she had worked with Wes Bruckno on the buffer area and was objecting to the reduction in the buffer as it was first accepted by the Board and was in the Zoning Code. She said some of the objections that they had on some angled properties could be taken care of in the Planning Board and we did not have to amend the Zoning Code as you are looking at it now. I agree that nothing should be in the buffer area. It should be planted. She also added that the interior roads are going to be allowed which she is not for either. She said as she sees the buffer area, each zone has side yard requirements and back yard requirements. I'm talking about residential zones and we also have these requirements in the commercial, however, they are really not enforced. She said she has been arguing with the Building Inspector and in looking at plans we've been interpreting the zoning code quite differently. Where she sees a need for a buffer between residential zones and a white buffer, we have not had them in the past. She said we've had trucks backing onto the property and we've had all commercial zones going from property line to property line with black top. She feels the Town is ugly with this kind of concept of zoning and thought we needed some land around all our commercial sites to make them sit by themselves and to stop making the Town look like one big parking lot with a huge building.

Appearance: Arnold Garelick, Chairman
Commercial Council Rockland County
Builders' Association

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Mr. Garelick said as far as the oil spill being within two feet of the front or rear bumper, that is not where you have the oil spill. The oil spill is under the engine or under the transmission. He said that he thought the oil spill is not an excuse for the elimination of bumper overhangs. We also have the fact that when we snow plow - if you plant shrubbery up to the curb line everytime you plow you kill the shrubbery. The shrubbery is always planted a minimum of two, three or four feet back from the curb which allows an apron for a bumper overhang. In essence you are not saying it's a minimum of fifteen feet, you're saying it's a minimum of seventeen feet of buffer. We are talking about buffer requirements for two light parcels or two commercial parcels. You already have in your code, buffer requirements for any commercial or industrial parcel that adjoins a residential parcel. You never have a fifteen foot grey area, you must have a minimum of thirty because you have two adjoining buffers. For example, you may have a shopping center that has a thousand feet of frontage that can end up with a 135 feet of buffer on one side. There is going to be an area that is not going to be maintained. It's going to be alongside of another property so you may wind up with 270 feet. You're going to have a football field as a buffer. It should be the quality that is planted in the buffer and not the quantity or width which is why we had suggested putting a ceiling or maximum on the amount of buffer and we would go along with the suggestions of the Planning Department and Mr. Bruckno.

There being no one further wishing to be heard, on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 9:52 P.M.

Respectfully submitted

Patricia Sheridan

PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

6/14/88

9:53 P.M.

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

RE: CHAPTER 31 - VIOLATION HEARING - MAP 127, BLOCK L,
LOT 27 - HI-ROCK

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the Public Hearing was declared open. The Town Clerk read a letter from Barbara J. Dardzinski, 70 N. Conger Avenue, Congers which is on file in the Town Clerk's Office.

Supervisor said this involves an unsafe structure. A few weeks ago the Town Board had to take precipitous action to secure the structure. The Highway Department acted on some wells that were open. The Supervisor said in his personal opinion it is unsafe.

The Supervisor swore in the Assistant Fire Inspector, Mr. William Bowler.

Appearance: Mr. William Bowler, Asst. Fire Inspector
Town of Clarkstown

Mr. Bowler said he visited the site shortly after the Town Board was notified on a complaint. The building was found to be in deplorable condition and a letter was sent to the Town Board. He said notices were also sent eventually to the right owner, Hi-Rock Construction Company but it was never claimed at the Post Office. Reinspection was made on May 9th and the conditions were the same as in the letter to the Town Board. On May 19th a letter was sent to the Town Board requesting the institution of Chapter 31 proceedings. On May 23rd permission was received from Supervisor Holbrook to start these proceedings. On May 24th the neighbor, an attorney next door, was contacted to see if we could use his property to fill in the well holes and septic tanks which were open and a hazard to passing children and anybody else. On May 24th these holes were filled in at 2:00 P.M. An in person inspection was made on June 8, 1988 and the condition still exists. He stated that today at 2:00 P.M. he had made an inspection. The building now has been secured but the foundation wall is in disrepair which could cause the possible collapse of the structure and it is in a real hazardous condition. He showed pictures to the members of the Board. He said his recommendation at this time is that the building be removed and torn down.

Supervisor asked if anyone had any questions to ask Mr. Bowler?

Appearance: Howard Rosner
Officer of Hi-Rock Construction Corp.

Mr. Rosner said he received a notification on the 27th of May. Before that time, the former owner received notification of what was going on at the property. Since the notification, as Mr. Bowler says, I have secured the premises and I have every intention of creating a situation that is going to be acceptable to the Building Department and the inspectors involved. I will apply to the appropriate boards to find out what has to be done. He said his attorney and partner is involved in that process right now. We have to see if they want to build a house there or to redo that existing building and make it structurally secure.

Supervisor Holbrook said it is not just a question of securing, it is a question of whether the thing is going to fall down or not. The problem is that the building is beginning to buckle and according to our inspectors the recommendations are to remove the building. It is a question of safety for people in the neighborhood.

Continued on Next Page

Councilwoman Smith asked Mr. Rosner what he intended to do? Mr. Rosner said he would like to build a new dwelling there if the Zoning Board approves it as it is an undersized lot.

Supervisor Holbrook said the best thing to do would be to tear down the building and rebuild.

Co. Kunis asked Mr. Rosner how long he owned the property and if he checked to see if it was safe when he purchased it?

Mr. Rosner said he had it for a couple of months. He examined it and said he could obtain a letter from an engineer or somebody that can establish that it is structurally safe or can be made structurally safe.

Councilwoman Smith asked Mr. Jacobson if that building can be leveled to its foundation and rebuilt upon the improved foundation?

There was some conversation about this and the Supervisor said that because of all the things they found wrong with it, he felt Mr. Rosner should rebuild a structure on it.

Councilwoman Smith said you intend to take it down and we want it down. Can we get a building inspector out there?

Appearance: Martin Feldi
 New City, NY

Mr. Feldi said the reason he did not buy that building is because he was told that he couldn't fix it and you would need so many variances that you would never get approval. If you fix the existing foundation then legally they can't stop you.

Supervisor said you could build a structure on that but there is a serious question as to the safety problem on the inside, outside and on the lot.

Mr. Garelick said there would be innumerable variances required to knock the entire building down and rebuild. The only way would be to get an alteration permit and either knock down the majority of the building or repair what's there. Mr. Garelick said in order to determine whether the building is structurally unsound you should have a building inspector not a fire inspector look at it.

Appearance: Ann Menendez
 35 No. Harrison Ave.
 Congers

Ms. Menendez said she lives two doors away from this house. She said there are kids playing in the house. She said there is evidence of someone living upstairs in the attic. She said there are signs that there is someone using drugs there. The foundation is falling apart. It is dangerous for the children with the open wells and the corporation bought it at the expense of the community.

Mr. Bowler said that he is Safety Inspector as well as Fire Inspector in the Town and as far as the building being in a safe condition, it is in a state of disrepair and in danger of collapse.

Appearance: John Lodico
 2 Birch Lane
 New City

Mr. Lodico said that the authority of what is to be done with the property rests with the Town Board. He said let the man build new within the confines of the land.

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Page 3

Appearance: Mr. John Mangan
25 North Conger Ave.
Congers

Mr. Mangan said he lives about a block from the property. He said he goes by the house frequently and nothing has been done. As a professional engineer he felt that the building was unsound and is ready to fall down. It is a threat to the neighborhood and something should be done right away.

Mr. Rosner said he would like to ask for a possible adjournment so that he could produce some documents that will state what can be done over there.

Supervisor said it would be far preferable to rebuild on the site of the foundation and he felt it was a detriment and a danger.

Councilwoman Smith asked, if the house was taken down is Mr. Rosner financially prepared to build a new house the same size.?

Mr. Rosner said he is prepared to reconstruct and do whatever he can to get the approval.

Mr. Kunis said the house should go immediately and that Mr. Rosner should have known the condition of the house when he bought it.

Supervisor said they would give Mr. Rosner ten days to have the house demolished and to erect a one family dwelling on the original foundation within the size limits of the house.

There being no one further wishing to be heard on motion of Councilman Maloney seconded by Councilman Kunis and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 10:14 P.M.

Respectfully submitted

Patricia Sheridan
PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (661-1988) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

65

Town Hall

6/14/88

10:15 P.M.

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

RE: AMENDMENT TO ZONING ORDINANCE (MF-4 REGULATIONS)
CONTINUATION OF P.H. FROM 5/10/88

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

Supervisor Holbrook said this is a continuation of the Public Hearing from last month. He asked Mr. Geneslaw if the SEQRA regulations in regard to the MF-4 are in proper order at this time.

Mr. Geneslaw said that we have suggested to the Board that a SEQRA review should be a little more than what is normally done for a zoning change because the number of sites that could potentially be changed were fairly specifically identifiable. There are several sections within the Route 59 area that we feel are potentially eligible for the MF-4 regulations. We tried to get an indication how much development could occur to keep the zone change more developed and what would happen with respect to traffic impact, etc.

Supervisor asked Mr. Geneslaw if SEQRA has been completed?

Mr. Geneslaw said "Yes." Before the Board acts it should adopt a negative declaration if it agrees with what we have and perhaps include specific findings in its resolution of approval so that it's clear that the Board did review the pertinent material.

Supervisor asked if there was anyone who would like to make a comment who did not speak at the previous hearing?

Appearance: Jane Murphy
Shade Tree Commission

Ms. Murphy asked if there is a floor area ratio connected to the MF-4 zone.

Mr. Geneslaw said no there is not. He said they are in the process of collecting information in this regard. Supervisor asked if he would have a floor area ratio within a week or so? Mr. Geneslaw said he hoped to have it for the next Workshop.

Ms. Murphy said there is no floor area ratio in any of the MF zones and our commission runs into problems all the time and you see it in the Town with all the MF areas up. New City Gardens is looking very nice compared to all the Condos, because it has some land around it, and none of the Condos do. She said she appeared before the Planning Board when they were considering these zones and had asked them why sidewalks were not in the zones. There are no sidewalks in the MF-4 zones. People are relegated to the streets. I asked if there could be an 80 foot road built in these MF-4 zones to permit both sides of the street parking. I was told we do not have 80 foot roads in Clarkstown. There doesn't seem to be a buffer zone around. There isn't enough room. These were supposed to be clustered houses with open space. The closer they get to the Town, the less open space. It is offensive to the eye. The buildings are taking up all the available land. She said her Commission is looking at one that is coming in for a pool which they didn't have before and there is no room for a pool. People are twenty feet away from a public pool. I think that is very poor planning and very poor zoning. I would like the Town Board and the Planning Board to look into the zone and how we want Clarkstown to look.

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Appearance: Don Tracy
Tracy and Bertalino

Mr. Tracy said he was not representing any particular applicant but representing applicants who have properties who are eligible in the MF-4 zone. It has just taken too long. In December of 1986 we discussed at length the concept of the MF-4 zone. In order to promote the concept of the MF-4 zone we went through the drastic remedy of a moratorium on Route 59. The moratorium caused a lot of grief to some of the property owners and he felt this Route 59 Corridor Study showed that we have a lot of traffic there. The state owns the road and we haven't got too much that we can make the state do. However, something good did come out of the study. It said we will use the concept of changing zoning to reduce traffic. Changing zoning to zoning that might not be consistent with that which surrounds it, etc. If the MF-4 zone is not enacted, it would make a sham of the Route 59 Corridor study. He did not feel that it would create slum housing. He did not feel that we should worry about who else might be able to build it or where else it might be able to be built. If you believe in the MF-4 zone, don't worry about who can come in for it. Don't worry about where it can be, because regardless of where it can be in the zone that it has to replace, it's going to create less traffic. He urged the Board to implement this zone. It is not going to become a slum with the controls that are enforced in this Town. The one thing that destroys productivity is the time it takes things to get done. He said you evaluate commercial land at so many dollars per square foot under the building. Therefore, if you are going to make big buffers then let your Assessor reduce the assessed valuation because the land is no longer worth as much.

Councilman Kunis said to Mr. Tracy you have said "Let's do it. If it doesn't work, then we'll undo it." Do we have the final authority to undo it?

Mr. Tracy said that by implementing a zone generically you haven't given anybody the right to use it. Whoever wants to use it has to come into you and ask for the right to use it.

Mr. Kunis said as an example you have a church on Route 59 - weekday P.M. peak hour. You are reporting on a zone but you also have to report on the facts. You can tell me that under current zoning and the way the church is used that every p.m. peak hour there are 189 cars entering that church and 228 cars exiting that church on an hourly basis five days a week and is that what your report indicates?

Mr. Geneslaw said that is the activity that could be expected from regional shopping.

Councilman Kunis said these reports look beautiful and you are telling us what it could be but it is not now and we do not have the problem. We do not have 228 cars coming out of that church every hour five days a week. We are talking about 1,300 additional units. We also spoke tonight and arranged for a hearing on August 16th for another 500 units in Nanuet for a proposed potential zone change. So let's assume that that other zone change went through. You are talking about an additional 1800 units in the Route 59 Corridor study area - roads never. I also spoke to you Mr. Geneslaw and asked you about PO. You indicated that no thought was given about PO in this report. I thought you mentioned to me that you might review PO for these sites. It still is not mentioned in any of these reports.

Mr. Geneslaw said he prepared a separate memo on PO to the Board in relation to one of the sites. Councilman Kunis said he is not looking to stall but to do what is right to Clarkstown.

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Supervisor Holbrook said that one time the Town Board considered changing the zone on the Church from RS to R-15. He noted that zone change failed but said he thought that site could potentially be used and he thought that certainly if the Town Board was concerned about it we could consider a zone change on that site to R-15 which by the way is permitted by right - use of the church.

Councilman Kunis asked who is going to buy houses on Route 59 and the Supervisor said you are not going to buy houses on Route 59 but this was just a recommendation of the Planning Board before any implementation of the MF-4.

Councilman Kunis said the church is one of the areas mentioned in the report. He said 1,000 units in Nanuet including all of the sites that are proposed and approximately 500 additional apartments on the airport location. I just don't agree with some of the figures here in Mr. Geneslaw's report. One of them is the traffic coming in and going out of the church. It does not exist today.

Supervisor said it exists because we get the calls from the people on weekends.

Councilman Kunis said he is not saying it does not exist weekends. It does not exist during the week. I believe the church is hardly used midweek. Plus the church is off the tax rolls. Is that correct? Councilman Carey said if you get three votes it could be developed as regional shopping, that is all it would take.

Supervisor Holbrook said if the Town Board is concerned about the church property which is one of the properties in the Route 59 Corridor study, you could take a look at it. What the Town Board since 1986 has tried to do on a number of these sites is reduce the potential for MF-4 to be used. Hutton Avenue area is one area; the church property was another. We had a series of public hearings regarding that. Some of those zone changes passed and some of them failed. I support reducing the density on the church property because I think that the church will be there for a long time but if it is R-15 the churches are permitted by right there and I don't think we want another regional shopping center on the church property. At the time we had the hearing on that, the church people who owned the property were not opposed to that. In fact they were in favor of it.

Councilman Kunis said the Town of Orangetown just lowered their density; the Town of Haverstraw just lowered their density; and here we are in the Town of Clarkstown creating a new higher density zone.

Appearance: Phylis Bulhack
9 Westgate Blvd.
New City, New York

She said she can remember some of the members of this Board (Supervisor Holbrook and Councilman Maloney) sitting and discussing the old RG zones and how you wanted to limit the multi-family zones because they were getting too dense and you certainly wanted to limit it in areas of great density so I can't understand why you would consider an MF-4 zone - creation of a new denser zone in an area that already has the densest population. These people bought this property. It was commercial. Not that I want to see it developed as more commercial. I think the suggestion for PO should be examined and I ask this Board not to take any action on this until you can get a report whether PO can work in the area. I certainly think you have to go back to some of the theories that you had originally about controlling the dense areas. Although this may be the Nanuet Corridor and it may be restricted in your amendment to this particular spot, you all know because you have

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been witness to it that it is not going to be restricted to this spot. It is going to spread and I can't understand how you are going to stop it when it starts to spread because if it is good for one then it is good for the other. The builders of this Town will be lining up because they want this dense zone. I think you have to think about what your values were when we all use to sit around and listen to the public hearings on Nanuet and other areas and I think you have to go back to those values because the Town is getting very crowded.

Appearance: John Lodico
New City

In making changes in all of these areas on the one hand if you had developed a saloon or bar now, you could not build because that church is there because I believe you have to be 300 feet away from it. At the time when this was proposed as a church, the ordinance made no provision for the church being 300 feet from the saloon or bar

Appearance: Michael Lettre
7 Amethyst Court
West Nyack

He said that there is in the current MF ordinances and in the proposed MF-4 ordinance effectively a floor area ratio and it is referred to as building coverage. It is described as a percentage of the total watt area and that effectively gives you your floor area ratio because it limits the amount of building that is allowed on the site. I would like to clarify that point because it was brought up that there is no FAR's in the ordinance now and that is incorrect.

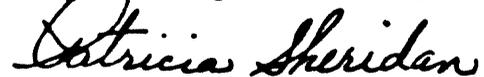
Mr. Geneslaw said he disagreed with Mr. Lettre and said that the building coverage refers to the proportion of the land that can be covered by the building or in some codes by the building and driveways. Floor area ratio is relationship of all of the floors of the building to the lot area. There are different ways of measuring how much development can take place in a particular parcel. Some codes use one. Some use the other. Some use both. I think a good example has been referred to (I think Mr. Kunis referred to it recently) the Village Green in Bardonia. There is a coverage requirement there and presumably it meets the coverage requirement but those buildings are a lot bigger than anyone on the Planning Board anticipated at the time they were approved. A floor area ratio requirement might have made those buildings smaller.

Supervisor asked if there was anyone else wishing to be heard.

No one appeared.

On motion of Councilman Maloney, Seconded by Councilman Kunis and unanimously adopted (Councilwoman Smith was not present for this vote), the public hearing was declared closed, DECISION RESERVED, time: 10:55 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk