

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

8/16/88

8:00 P.M.

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

Supervisor declared Town Board Meeting open. Assemblage saluted the flag. Supervisor presented a Certificate of Appreciation to Helen Frances Hobbs, who has served the Town of Clarkstown as a School Crossing Guard. Supervisor mentioned that he had played with Mrs. Hobbs' sons in Little League. He stated that he had played for Mr. Hobbs in the Babe Ruth League. He said people like the Hobbs are the backbone upon which this community was structured and developed. On her retirement after twenty-four years the Supervisor extended the congratulations of the entire Town Board and the residents of the Town of Clarkstown.

Supervisor stated that the intention of the Town Board was to go through the resolutions and then hold the Public Hearings. He said he would take comment on any issue except those which are the subject of any of the public hearings scheduled for this evening.

Supervisor declared the Public Portion of the meeting open. No one appeared.

RESOLUTION NO. (738-1988)

ACCEPTING OFFER TO PURCHASE
SURPLUS MUNICIPAL PROPERTY
- MAP 105, BLOCK A, LOT
33.01 (PART OF) - COBCO

Co. Carey offered the following resolution:

WHEREAS, by resolution of the Town Board of the Town of Clarkstown on September 8, 1987, the Town of Clarkstown declared the property designated on the Clarkstown Tax Map as Map 105, Block A, Lot 33.01 (Part of) to be surplus municipal property, and

WHEREAS, the Town Attorney advertised for bids for the sale of said property, and

WHEREAS, the only bidder was COBCO, for a cash price of \$175,000.00, which bid was submitted with the condition that COBCO be able to secure final approval of revised site plan, together with the approval from all other governmental agencies having jurisdiction of the premises;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the offer from COBCO to purchase the aforesaid property as shown on the attached Schedule "A" for the sum of \$175,000.00, being the minimum acceptable bid for said surplus property and which equals or exceeds the fair market value of said surplus property, the balance of which is payable after thirty (30) days from the date of publication of notice of this sale and subject to the fulfillment of the condition of final approval contained herein, and which sale is subject to the following:

1. Easements, covenants and restrictions of record, if any;

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RESOLUTION NO. (738-1988) Continued

2. Zoning Ordinance of the Town of Clarkstown;

3. Such state of facts as an accurate survey or personal inspection may reveal, and be it

FURTHER RESOLVED, that said bid is accepted with the condition made by COBCO that it be able to secure final approval of revised site plan, together with the approval from all other governmental agencies having jurisdiction of the premises;

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby directed to execute a contract of sale and a bargain and sale deed in a form satisfactory to the Town Attorney for delivery to the purchasers in accordance with the terms of this resolution, and be it

FURTHER RESOLVED, that this resolution is subject to Permissive Referendum.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (739-1988)

ACCEPTING DEED FOR ROAD
WIDENING - TOTANI'S MEADOW
- BARDONIA ROAD, BARDONIA

Co. Carey offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as TOTANI'S MEADOW, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Bardonia Road, Bardonia, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, deed dated January 21, 1988, from JOHN J. TOTANI gratuitously conveying a strip of land along Bardonia Road, Bardonia, New York, 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (740-1988)

AWARDING BID FOR BID NO.
59-1988 - CURBSIDE
RESIDENTIAL COLLECTION OF
RECYCLABLE MATERIALS (CONO
RECYCLING CORP.)

Co. Smith offered the following resolution:

Continued on Next Page

RESOLUTION NO. (740-1988) Continued

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

BID #59-1988
CURBSIDE RESIDENTIAL COLLECTION OF
RECYCLABLE MATERIALS

is hereby awarded to

CONO RECYCLING CORP
1 SOUTH FRANKLIN ST
NYACK, NY 10960

as per their proposed unit price per collection of \$2.50 per month, and be it

FURTHER RESOLVED, that said award is subject to a formal agreement being executed between the Town and Cono as prepared by the Town Attorney.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (741-1988)

AWARDING BID FOR BID
#72-1988 - COMPUTER/WORD
PROCESSING SUPPLIES
(BOUTON'S BUSINESS
MACHINES; PREFERRED
BUSINESS FORMS; GLOBE
OFFICE SUPPLY; FORMS
FACTORY)

Co. Smith offered the following resolution:

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

BID #72-1988
COMPUTER/WORD PROCESSING SUPPLIES

is hereby awarded to the following vendors as per the attached schedule of items and prices

BOUTON'S BUSINESS MACHINES
95 ROUTE 304
NANUET NY 10954

PREFERRED BUISNESS FORMS
122 E. MAIN ST
ELMSFORD NY 10523

GLOBE OFFICE SUPPLY
5800 THIRD AVENUE
BROOKLYN NY 11220

FORMS FACTORY
50 MARCUS BLVD
HAUPPAUGE NY 11788

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

Seconded by Co. Carey

On roll call the vote was as follows:

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RESOLUTION NO. (741-1988) Continued

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

RESOLUTION NO. (742-1988)

AWARDING BID FOR BID
#80-1988 - REINFORCED
CONCRETE CULVERT PIPE
CONCRETE CATCH BASIN BLOCK
& BRICK (LEONARD CONCRETE
PIPE CO., INC.; MULTIPLEX
CONCRETE PIPE; AND FEDERAL
BLOCK CORP.)

Co. Smith offered the following resolution:

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

BID #80-1988
REINFORCED CONCRETE CULVERT PIPE
CONCRETE CATCH BASIN BLOCK & BRICK

is hereby awarded to:

LEONARD CONCRETE PIPE CO INC.
375 MATHER STREET
HAMDEN CT 06514

MULTIPLEX CONCRETE PIPE
64 GLENWOOD AVE
E ORANGE NJ 07017

FEDERAL BLOCK CORP
129 WALSH AVE
NEWBURGH NY 12550

as per attached price schedule.

(Schedule 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
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (743-1988)

AWARDING BID FOR BID
#81-1988 - STREET SIGNING
MATERIALS (GARDEN STATE
HIGHWAY PROD.; CHEMUNG
SUPPLY CO.; CAPITOL HIGHWAY
MATERIALS; AND EXPANDED
SUPPLY PROD.)

Co. Smith offered the following resolution:

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

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RESOLUTION NO. (743-1988) Continued

BID #81-1988
STREET SIGNING MATERIALS

is hereby awarded to

GARDEN STATE HIGHWAY PROD.
2 FOWSER ROAD
MILLVILLE NJ 08332

CHEMUNG SUPPLY CO.
P.O. BOX 527
ELMIRA NY 14902

CAPITOL HIGHWAY MATERIALS
ROUTE 6 BOX 216
BALDWIN PL NY 10505

EXPANDED SUPPLY PROD.
VAN WYCK LANE
WAPPINGERS FALLS NY 12590

as per the attached schedule of prices.

(Schedule 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (744-1988)

ACCEPTING PROPOSAL FROM
ROBERT G. TORGERSEN,
LANDSCAPE ARCHITECT, FOR
DRIVEWAY IMPROVEMENTS AT 70
NORTH HARRISON AVENUE,
CONGERS

Co. Smith offered the following resolution:

RESOLVED, that a proposal dated December 19, 1987 received from Robert G. Torgersen, Landscape Architect, Three Main Drive, Nanuet, New York by Rockland Association for Retarded Children for professional landscape architectrual services in connection with driveway improvements at 70 North Harrison Avenue, Congers, New York is hereby accepted in the amount of \$2,000.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (745-1988)

AWARDING BID FOR BID #69A -
ELECTRICAL WORK RENOVATIONS
TO THE FILTER SYSTEM AT
GERMONDS POOL (FRAN CORP.)
AND AUTHORIZING ANY
NECESSARY CHANGE ORDERS

Co. Smith offered the following resolution:

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RESOLUTION NO. (745-1988) Continued

RESOLVED, based upon the recommendation of Gaston L. Raffaelli, P.E.; Laurence Kohler, Director of Purchasing and Edward J. Ghiazza, Supt. of Recreation and Parks that:

BID #69A
ELECTRICAL WORK
RENOVATIONS TO THE FILTER SYSTEM AT
GERMONDS POOL

is hereby awarded to Fran Corp, d/b/a All Bright Electric, 71 High Avenue, Nyack, New York 10960, in the amount of \$36,500.00, and be it

FURTHER RESOLVED, that the Superintendent of Recreation and Parks is hereby authorized to execute any necessary change orders on behalf of the Town of Clarkstown, based upon the recommendation of Gaston L. Raffaelli, P.E., total Electrical Work not to exceed \$40,150.00, and

WHEREAS, Town Board Resolution No. 717 dated July 28, 1988 for Bid #69 Pool Work, Renovations to the Filter System at Germonds Pool, is in the amount of \$202,500.00;

NOW, THEREFORE, be it

RESOLVED, that the total project for Pool and Electrical Work - Renovations to the Filter System at Germonds Pool shall not exceed \$242,650.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (746-1988)

DECREASING APPROPRIATION
ACCOUNT B 8010-313 (OFFICE
SUPPLIES AND PRINTING) AND
INCREASING APPROPRIATION
ACCOUNT B 8010-459 (EBT's,
DISPOSITIONS, HEARINGS)
(TOWN ATTORNEY)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account B 8010-313 (Office Supplies and Printing) and increase Appropriation Account B 8010-459 (EBT's, Dispositions, Hearings) by \$20.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (747-1988)

DECREASING APPROPRIATION
ACCOUNT A 5630-110
(SALARIES) AND INCREASING

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RESOLUTION NO. (747-1988) Continued

APPROPRIATION ACCOUNTS A
5630-312 (AUTO MAINTENANCE
SUPPLIES), A 5630-406
(REPAIRS TO VEHICLES), AND
A 5630-438 (MAINTENANCE
AGREEMENTS) (MINI-TRANS)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account A 5630-110
(Salaries) by \$4,000 and increase the following Appropriation
Accounts:

A 5630-312 (Auto Maintenance Supplies).....\$2,000.00
A 5630-406 (Repair to Vehicles).....\$1,940.00
A 5630-438 (Maintenance Agreements).....\$ 60.00

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (748-1988)

INCREASING ESTIMATED
REVENUE NO. 04-102999
(HIGHWAY-UNEXPENDED
BALANCE) AND APPROPRIATION
ACCOUNT NO. DB 5110-381
(BITUMINOUS) (HIGHWAY)

Co. Carey offered the following resolution:

RESOLVED, to increase Estimated Revenue No. 04-102999
(Highway-Unexpended Balance) and Appropriation Account No. DB
5110-381 (Bituminous) by \$10,126.46.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (749-1988)

DECREASING APPROPRIATION
ACCOUNT NO. A 1640-311
(TOWN GARAGE-GASOLINE) AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1640-111
(OVERTIME) (TOWN GARAGE)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A
1640-311 (Town Garage-Gasoline) and increase Appropriation Account
No. A 1640-111 (Overtime) by \$155.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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RESOLUTION NO. (749-1988) Continued

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

RESOLUTION NO. (750-1988)

DECREASING ACCOUNT DB
5110-380 (PAINT) AND
INCREASING DB 5110-408
(BUILDING REPAIRS);
DECREASING DA 5142-386
(SALT) AND INCREASING DA
5130-312 (EQUIPMENT
REPAIR); AND DECREASING DA
5142-386 (SALT) AND
INCREASING DA 5130-447
(OUTSIDE LABOR) (HIGHWAY)

Co. Carey offered the following resolution:

RESOLVED, to transfer the following Highway funds:

<u>Decrease</u>	<u>Increas</u>	<u>Amount</u>
DB 5110-380 (Paint)	DB 5110-408 (Building Repairs)	\$ 200.00
DA 5142-386 (Salt)	DA 5130-312 (Equipment Repair)	\$28,000.00
DA 5142-386 (Salt)	DA 5130-447 (Outside Labor)	3,000.00

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (751-1988)

TRANSFERRING FUNDS FROM H
7140-25U-910 (UNDESIGNATED
FUNDS FOR DRAINAGE
IMPROVEMENTS) TO H
7140-25P88-04-409 (DRAINAGE
IMPROVEMENTS) (HIGHWAY
DEPARTMENT)

Co. Carey offered the following resolution:

WHEREAS, Town Board Resolution No. 716 (1981)
authorizes correction of a drainage condition on Strawtown road,
West Nyack, and

WHEREAS, an additional \$3,0000.00 is required for
completion of said project,

NOW, THEREFORE, be it

RESOLVED, to transfer \$3,000.00 from Undesignated Funds
for Drainage Improvements (H 7140-25U-910) to Drainage Improvements,
Strawtown Road, West Nyack (H 7140-25P88-04-409) in the Capital #2
Fund Account.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (751-1988) Continued

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

RESOLUTION NO. (752-1988)

INCREASING VARIOUS
ESTIMATED REVENUE ACCOUNTS
AND APPROPRIATION ACCOUNTS
(COMPTROLLER'S OFFICE)

Co. Carey offered the following resolution:

RESOLVED, to increase the following Estimated Revenue
Accounts and Appropriation Account Numbers:

<u>ESTIMATED REVENUE</u>	<u>APPROPRIATION ACCOUNT</u>	<u>AMOUNT</u>
01-00277002 (Bid Deposits)		\$ 3,750.00
	A 1640-421 (Town Garage-Car Washes)	500.00
	A 5650-419 (Commuter Parking-Misc. Ser.)	775.00
	A 5650-461 (Electricity)	675.00
	A 6510-401 (Veterans-Fees for Services)	500.00
	A 8840-424 (Economic Assistance)	1,300.00
01-002662 (Community Beautification)		1,400.00
	A 8511-409 (Community Beau.-Fees)	1,200.00
	A 8511-412 (Refuse-Window Cleaning)	200.00
01-002130 (Refuse)		10,350.00
	A 8160-421 (SLF-Landfill Fire)	10,350.00

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (753-1988)

TRANSFERRING FUNDS FROM H
7140-24U-910 (UNDESIGNATED
FUNDS FOR DRAINAGE
IMPROVEMENTS) TO H
7140-25P88-05-409 (DRAINAGE
IMPROVEMENTS, ROLLING WAY,
NEW CITY) IN CAPITAL #2
FUND ACCOUNT (COMPTROLLER'S
OFFICE)

Co. Carey offered the following resolution:

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RESOLUTION NO. (753-1988) Continued

WHEREAS, Town Board Resolution No. 1196 (1987) authorized \$12,500.00 for correction of a drainage condition on Rolling Way, New City, and

WHEREAS, an additional \$3,100.00 will be required to complete said project,

NOW, THEREFORE, be it

RESOLVED, to transfer \$3,100.00 from Undesignated Funds for Drainage Improvements (H 7140-24U-910) to Drainage Improvements, Rolling Way, New City (H 7140-25P88-05-409) in the Capital #2 Fund Account.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (754-1988)

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

Co. Carey offered the following resolution:

RESOLVED, to increase Appropriation Account A 7310-427 (Publicity) and increase Estimated Revenue Account 01-002001 (Park & Recreation Charges) by \$4,250.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (755-1988)

DECREASING CONTINGENCY
ACCOUNT NO. A 1990-505 AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1620-409
(MAINTENANCE FEES FOR
SERVICES) AND DECREASING
APPROPRIATION ACCOUNT NO. A
1330-204 (RECEIVER OF
TAXES-OFFICE MACHINES) AND
INCREASING APPROPRIATION
ACCOUNT NO. A 1330-313
(OFFICE SUPPLIES &
PRINTING) (COMPTROLLER'S
OFFICE)

Co. Carey offered the following resolution:

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RESOLUTION NO. (755-1988) Continued

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 1620-409 (Maintenance-Fees for Services) by \$75.00, and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 1330-204 (Receiver of Taxes-Office Machines) and increase Appropriation Account No. A 1330-313 (Office Supplies & Printing) by \$35.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (756-1988)

INCREASING ESTIMATED REVENUE ACCOUNT NO. 01-002661 (SALE OF PROPERTY) AND APPROPRIATION ACCOUNT NO. A 1430-409 (PERSONNEL-FEES FOR SERVICES) AND DECREASING APPROPRIATION ACCOUNT NO. A 1430-225 (PERSONNEL-COMPUTER EQUIPMENT) AND INCREASING APPROPRIATION ACCOUNT NO. A 1430-438 (MAINTENANCE AGREEMENTS) (PERSONNEL)

Co. Carey offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 01-002661 (Sale of Property) and Appropriation Account No. A 1430-409 (Personnel-Fees for Services) by \$3,500.00, and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 1430-225 (Personnel-Computer Equipment) and increase Appropriation Account No. A 1430-438 (Maintenance Agreements) by \$98.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (757-1988)

DECREASING APPROPRIATION ACCOUNT NO. A 5630-111 (MINI-TRANS-OVERTIME) AND INCREASING APPROPRIATION ACCOUNTS A 5630-201 (FURNITURE & FURNISHINGS), A 5630-312 (AUTO MAINTENANCE SUPPLIES), A 5630-406 (REPAIRS TO VEHICLES), AND A 5630-438 (MAINTENANCE AGREEMENTS) (MINI-TRANS)

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RESOLUTION NO. (757-1988) Continued

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 5630-111 (Mini-Trans-Overtime) by \$6,000.00 and increase the following Appropriation Account Numbers:

- A 5630-201 (Furniture & Furnishings).....\$ 500.00
- A 5630-312 (Auto Maintenance Supplies)....3,000.00
- A 5630-406 (Repairs to Vehicles).....2,000.00
- A 5630-438 (Maintenance Agreements)..... 500.00

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (758-1988)

DECREASING APPROPRIATION ACCOUNT NO. A 7310-404 (YOUTH PROGRAMS-TRAVEL, MILEAGE, MEALS) AND INCREASING APPROPRIATION ACCOUNT NO. A 7141-404 (COMMUNITY RECREATION CENTERS-TRAVEL, MILEAGE, MEALS), DECREASING APPROPRIATION ACCOUNT NO. A 7310-307 (YOUTH PROGRAMS-UNIFORMS) AND INCREASING APPROPRIATION ACCOUNT NO. A 7141-409 (COMMUNITY RECREATION CENTERS - FEES FOR SERVICES) AND DECREASING APPROPRIATION ACCOUNT NO. A 7610-424 (PROGRAMS FOR THE AGING-CONTRACTUAL EXPENSES) AND INCREASING APPROPRIATION ACCOUNT NO. A 7620-409 (ADULT ACTIVITIES-FEES FOR SERVICES)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 7310-404 (Youth Programs-Travel, Mileage, Meals) by \$1,000.00 and to increase Appropriation Account No. A 7141-404 (Community Recreation Centers-Travel, Mileage, Meals)by \$1,000.00, and

RESOLVED, to decrease Appropriation Account No. A 7310-307 (Youth Programs-Uniforms) by \$1,000.00 and to increase Appropriation Account No. A 7141-409 (Community Recreation Centers-Fees for Services) by \$1,000.00, and

FURTHER RESOLVED, to decrease Appropriation Account No. A 7610-424 (Programs for the Aging-Contractual Expenses) by \$3,000.00 and to increase Appropriation Account No. A 7620-409 (Adult Activities-Fees for Services) by \$3,000.00.

Seconded by Co. Kunis

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RESOLUTION NO. (758-1988) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (759-1988)

DECREASING APPROPRIATION
ACCOUNT NO. A 1420-110
(TOWN ATTORNEY-SALARIES)
AND INCREASING
APPROPRIATION ACCOUNT NO. A
1420-409 (FEES FOR SERVICES)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1420-110 (Town Attorney-Salaries) and increase Appropriation Account No. A 1420-409 (Fees for Services) by \$23,700.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (760-1988)

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

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated July 18, 1988 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

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

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 15th day of September, 1988, at 8:00 P.M. DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (761-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
BARTHOLOMEU D'ANDREA AND
ADOLFO MARTONE

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated July 18, 1988 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

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

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 15th day of September, 1988, at 8:15 P.M. DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (762-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
JOY ACRES NORTH

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated June 22, 1988 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

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

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 15th day of September, 1988, at 8:30 P.M. DS 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.

Continued on Next Page

RESOLUTION NO. (762-1988) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (763-1988)

SETTING PUBLIC HEARING TO
CONSIDER DESIGNATION OF AN
HISTORICAL SITE (MOUNT MOOR
CEMETERY, WEST NYACK)

Co. Smith offered the following resolution:

WHEREAS, it has been proposed that the Mount Moor
Cemtery located in West Nyack, New York, more particularly described
on the Tax Map of the Town of Clarkstown as Map 98, Block A, Lot
13, be designated as an Historical Site pursuant to Chapter 12-3(C)
of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the
Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on
the 15th day of September, 1988, at 8:05 P.M., to consider the
designation of the aforesaid property as an Historical Site, and be
it

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

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (764-1988)

AUTHORIZING RETURN OF
MAINTENANCE BOND WITH
REGARD TO SUBDIVISION
(NARLAN DEVELOPMENT CORP.)

Co. Carey offered the following resolution:

RESOLVED, that upon the recommendation of the
Department of Environmental Control of the Town of Clarkstown,
maintenance bond secured by a passbook in the sum of \$3,320.00
furnished to the Town in connection with dedication of the road(s)
and improvements on March 10, 1987, in a subdivision known as Narlan
Development Corp is terminated and the sum of \$3,320.00 be released
to the guarantor.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (765-1988)

AUTHORIZING PAYMENT TO
SECRETARY TO ZONING BOARD
OF APPEALS (MARGARETANN
RIES) - HALDENWANG V. ZBA

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$552.00 be paid to
Margaretann Ries, Secretary to the Board of Appeals, for the
preparation of the transcript in connection with the proceeding
entitled WILLIAM HALDENWANG v. THE BOARD OF APPEALS.

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

RESOLUTION NO. (766-1988)

AUTHORIZING TOWN ATTORNEY
TO APPEAL A DECISION OF THE
SUPREME COURT (CLASS
CARTING OF CLARKSTOWN, INC.)

Co. Smith offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has
rendered a decision in the matter of CLASS CARTING OF CLARKSTOWN,
INC. against the Clarkstown Sanitation Commission, and

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

NOW, THEREFORE, be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (767-1988)

GRANTING PERMISSION FOR USE
OF TOWN OF CLARKSTOWN
SHOWMOBILE (ST. PAUL'S
C.Y.O. OF CONGERS, NEW YORK)

Co. Kunis offered the following resolution:

WHEREAS, St. Paul's C.Y.O. of Congers, New York, has
requested use of the Town of Clarkstown showmobile as a stage for
youth activities on Sunday, August 13, 1988, in West Haverstraw, New
York,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to St.
Paul's C.Y.O. to use the Town of Clarkstown showmobile on Sunday,
August 13, 1988, for the above purposes and subject to the provision
of the necessary insurance policies.

Continued on Next Page

RESOLUTION NO. (767-1988) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (768-1988)

AUTHORIZING ATTENDANCE AT
NATIONAL RECREATION AND
PARK ASSOCIATION CONGRESS
(OSWALD, GHIAZZA, AND
CONNINGTON) - CHARGE TO
APPROPRIATION ACCOUNTS A
7020-414 AND A 7310-414

Co. Kunis offered the following resolution:

RESOLVED, that Wilbur T. Oswald, Chairman; Edward J. Ghiazza, Supt. of Recreation and Parks and Charles F. Connington, Asst. Supt. of Recreation and Parks, are hereby authorized to attend the National Recreation and Park Association Congress from October 6, 1988 through October 11, 1988 to be held in Indianapolis, Indiana, and

FURTHER RESOLVED, that all necessary expenses be charged against Appropriation Accounts A 7020-414 and A 7310-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (769-1988)

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

Co. Smith offered the following resolution:

WHEREAS, the condition complained of in the Order and Notice dated January 26, 1988, regarding premises designated on the Tax Map of the Town of Clarkstown as MAP 139, BLOCK B, LOT 20, which was the subject of a Chapter 79 (Property Maintenance) proceeding has been corrected by the Town, and

WHEREAS, by resolution of the Town Board adopted June 14, 1988, the record property owner was required to reimburse the Town for the expenses incurred for the cost of the proceeding, and

WHEREAS, the property owner has been notified of the amount due and has failed to pay same;

NOW, THEREFORE, be it

RESOLVED, that the Assessor and Receiver of Taxes are hereby authorized and directed to levy the sum of \$1,350.09 against MAP 139, BLOCK B, LOT 20.

Seconded by Co. Carey

RESOLUTION NO. (769-1988) (Continued)

On roll call the vote was as follows:

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

RESOLUTION NO. (770-1988)

AUTHORIZING DIRECTOR OF ENVIRONMENTAL CONTROL TO HIRE LANDSCAPER (PINEBROOK LANDSCAPING) TO PERFORM NECESSARY CORRECTIVE DRAINAGE WORK - MAP 21, BLOCK A, LOT 11.01

Co. Carey offered the following resolution:

WHEREAS, an adverse drainage condition exists in the vicinity of Lot 21-A-11.01, New City, New York, and

WHEREAS, the Director of Environmental Control has recommended a solution to ameliorate said condition;

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is authorized to hire Pinebrook Landscaping to perform the necessary corrective drainage work for a sum not to exceed \$6,800.00; and be it

FURTHER RESOLVED, that the Clarkstown Highway Department perform all necessary tree removal and haul all necessary material from a Town stockpile at the Sanitary Landfill; and be it

FURTHER RESOLVED, that this amount be charged to Capital Fund #2.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (771-1988)

AUTHORIZING SETTLEMENT OF TAX CERTIORARI (CHEMICAL BANK VS. ASSESSOR OF TOWN OF CLARKSTOWN, BOARD OF REVIEW OF TOWN OF CLARKSTOWN, TOWN OF CLARKSTOWN AND NANUET UNION FREE SCHOOL DISTRICT - MAP 123, BLOCK E, LOT 8.01

Co. Smith offered the following resolution:

WHEREAS, proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled CHEMICAL BANK vs. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, THE TOWN OF CLARKSTOWN and THE NANUET UNION FREE SCHOOL DISTRICT affecting parcel 123 E, Lot 8.01, for the year 1983/84, and

RESOLUTION NO. (771-1988) Continued

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 123, Block E, Lot 8.01 be reduced for the year 1983/84 from \$127,300 to \$114,570, and

1. That reimbursement for the aforesaid years on the parcel described as Map 123, Block E, Lot 8.01 be made within 90 days through the office of the Commissioner of Finance. If payment is made within 90 days, no interest will be charged.

2. 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 settlement which was made by stipulation in open court.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (772-1988)

AMENDING RESOLUTION NO.
659-1988, ADOPTED BY TOWN
BOARD OF TOWN OF CLARKSTOWN
WITH RESPECT TO AUTHORIZING
SUPERVISOR TO ENTER INTO
AGREEMENT WITH DEGENSHEIN
DENKER FOR PREPARATION OF
SPACE STUDY FOR PORTION OF
CLARKSTOWN TOWN HALL -
CHARGE TO ACCOUNT NO. A
1620-409

Co. Smith offered the following resolution:

RESOLVED, that Town Board Resolution No. 659-1988, adopted by the Town Board on June 14, 1988, shall be amended to read as follows:

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 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 be \$29,000.00, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Degenshein Denker Associates, in a form satisfactory to the Town Attorney, to undertake an automation and computerization study which shall include the identification of systems and areas presenting opportunities to the Town of Clarkstown for automation use of technology to minimize space and personnel requirements for the future for an additional fee of \$7,000.00, and be it

Continued on Next Page

RESOLUTION NO. (772-1988) Continued

FURTHER RESOLVED, that the fee for both undertakings shall not exceed the sum of \$36,000.00, and shall be charged to Account No. A 1620-409.
Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (773-1988)

AUTHORIZING TOWN LAW
280-a(4) - OPEN DEVELOPMENT
AREA (MOUNTAINVIEW NORTH
AND SOUTH, VALLEY COTTAGE -
MAP 122, BLOCK A, LOT 10.02
(NAKAZAWA)

Supv. Holbrook offered the following resolution:

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law, the Town Board hereby established "an Open Development Area" for the property situate on the north and south sides of Mountainview Avenue, Valley Cottage, New York, more specifically designated on the Clarkstown Tax Map as Map 122, Block A, Lot 10.02, which property may be subdivided as a result of the application of Hiroshi Nakazawa, presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any Building Permit the following conditions shall be met by the owner:

1. The "Open Development Area" shall consist of the area as shown on a proposed subdivision and site plan maps entitled, "Site and Grading Plan, Mountainview North & South," Town of Clarkstown, Rockland County, New York, dated March 8, 1988, drawn by Henry Horowitz, Inc., Civil Engineers and Land Planning Consultants, West Nyack, New York, and "Location Plan," dated March 14, 1988, for which Building Permits or Certificates of Occupancy may be issued.

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

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

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

C. That the fee ownership of the easement or right-of-way shall be vested in the owners of the seven attached units;

D. That the Declaration shall contain provisions for reciprocal easement and maintenance agreement to provide for regular maintenance, repair, snow plowing and other necessary services on

Continued on Next Page

RESOLUTION NO. (773-1988) Continued

the right-of-way or easement by the owners and sharing of the cost of same on an equitable basis.

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

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

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (774-1988)

AUTHORIZING TOWN LAW
280-a(4) - OPEN DEVELOPMENT
AREA - MAP 43, BLOCK E, LOT
12 AND MAP 62, BLOCK A, LOT
1 AND GRANTING PERMISSION
FOR SUBDIVISION PURSUANT TO
TOWN LAW SECTION 281
(AVARAS SUBDIVISION)

Supv. Holbrook offered the following resolution:

WHEREAS, an application has been made to the Planning Board of the Town of Clarkstown for development of premises known and designated on the Clarkstown Tax Map as Map 43, Block E, Lot 12.00 and Tax Map 62, Block A, Lot 6, to permit the development into six lots, two of which have existing dwellings, and

WHEREAS, the Planning Board has recommended that the Town Board grant approval, pursuant to Town Law Section 280-a(4) and Town Law 281, of a proposed subdivision entitled, "Average Density Subdivision Avaras, Town of Clarkstown, Rockland County, New York, prepared by Henry Horowitz, Inc., Civil Engineers and Land Planning Consultants, dated December 9, 1986, last revised June 3, 1988, which provides for development into six lots for premises located on the southeast side of Zukor Road/South Mountain Road, New City, and

Continued on Next Page

RESOLUTION NO. (774-1988) Continued

WHEREAS, the Town Board of the Town of Clarkstown favors the development of the premises as presently planned and referred to above, and

WHEREAS, the Town Board by this resolution intends to grant permission for further processing of this application before the Planning Board of the Town of Clarkstown pursuant to the provisions of Town Law Section 281 and to further create an open development area pursuant to the provisions of Town Law Section 280-a(4) to provide that building permits may be issued for the construction of homes although they shall not directly front on a Town owned or maintained road;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law and pursuant to the recommendations of the Town of Clarkstown Planning Board, the Town Board hereby establishes an "open development area" for property situate on the southeast side of Zukor Road and South Mountain Road, New City, New York, which is intended to be developed into six lots, five of which shall have access only by right-of-way, which property is more specifically designated on the Clarkstown Tax Map as Map 43, Block E, Lot 12, and Tax Map 62, Block A, Lot 6, consisting of 15.5 acres, which property may be developed as a result of the application of James Avaras (Avaras Subdivision), presently pending before the Clarkstown Planning Board, provided, however, prior to the issuance of any building permit the following conditions shall be met by the record owner:

1. The "open development area" shall consist of the right-of-way as shown on a proposed subdivision plat entitled, "Average Density Subdivision, Town of Clarkstown, Rockland County, New York, prepared by Henry Horowitz, Inc., Civil Engineers and Land Planning Consultants, dated December 9, 1986, last revised June 3, 1988, for which building permits and/or certificates of occupancy may be issued for not more than six (6) homes subject to obtaining final subdivision approval of the Clarkstown Planning Board, for which access to five dwellings is to be given by the private right-of-way or easement;

2. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenants which shall run with the land in a form acceptable to the Town Attorney and which shall be recorded in the Rockland County Clerk's Office, which Declaration shall contain the following Declaration and Covenants:

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

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

C. That the fee ownership of the right-of-way shall be in the homeowners name with the responsibility for property maintenance and landscaping;

D. That the Declaration shall contain provisions for regular maintenance, repair, snow plowing and other necessary services on the right-of-way;

Continued on Next Page

RESOLUTION NO. (774-1988) Continued

E. That the certificate of occupancy issued for any houses within the subdivision boundaries shall be conditioned upon observance and subject to the Declaration of Covenants herein required;

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

G. That any subdivision map approved by the Planning Board shall contain a note referring to the resolution establishing the "open development area" by date and number, which subdivision plan or map note shall also state that the issuance of building permits and certificates of occupancy are subject to compliance with the Declaration of Covenants herein required, and be it

FURTHER RESOLVED, that the Town Board hereby GRANTS permission to develop the property pursuant to Town Law Section 281 to allow for environmentally sensitive land to remain in its natural state. Such area shall be placed in a conservation easement, and shall be subject to the filing of a conservation easement in the Rockland County Clerk's Office. No modifications or alterations of the proposed subdivision referred to above shall be made unless a prior approval of the Town Board is obtained.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (775-1988)

ACCEPTING DEED FOR DRAINAGE
EASEMENT FROM RICHARD W.
KING AND KATHLEEN KING,
VALLEY COTTAGE

Co. Carey offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision of DR. KING, Valley Cottage, New York, the Planning Board of the Town of Clarkstown requested a deed for a drainage easement;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, deed dated April 15, 1988, from RICHARD W. KING and KATHLEEN KING gratuitously conveying a drainage easement is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Continued on Next Page

RESOLUTION NO. (775-1988) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (776-1988)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN FROM
R-22 TO PO - MAP 135, BLOCK
D, LOT 19.2 (JAMES J.
MILLER)

Co. Smith offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 24th day of May, 1988, provided for a public hearing on the 12th day of July, 1988, at 8:05 P.M., to consider the application of JAMES J. MILLER, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner described on the Clarkstown Tax Map as Map 135, Block D, Lot 19.2, from an R-22 District to a PO District, and

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

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated July 8, 1988, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-22 District to an PO District, the property designated on the Clarkstown Tax Map as Map 135, Block D, Lot 19.2, situated in the Hamlet of Central Nyack, New York, in said Town, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Amendment to the Zoning Ordinance and that the Town Clerk cause the same to be published in the official newspaper of the Town and file proof thereof in the Office of the Town Clerk, as required by law.

(Description 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
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (777-1988)

AUTHORIZING ATTENDANCE AT
COURSE ON INCOME APPROACH
(FRANCES HEINISCH)
ASSESSOR'S OFFICE - CHARGE
TO ACCOUNT 1010-414

Co. Smith offered the following resolution:

RESOLVED, that Frances M. Heinisch, Real Property Appraiser is hereby authorized to attend a course on Income Approach in Orange County from 12/4/88 to 12/9/88 sponsored by the State Department of Equalization and Assessment for continuing education, and be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (778-1988)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING -
MAP 41, BLOCK A, LOT 16.67
(WOLFMAN)

Supv. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps, including commencing litigation on behalf of the Town of Clarkstown to rectify a violation on premises owned by MARVIN WOLFMAN and EVELYN WOLFMAN, more particularly described on the Tax Map of the Town of Clarkstown as MAP 41, BLOCK A, LOT 16.67.

Seconded by Co. Carey

Councilman Kunis asked what the situation was regarding this resolution and Supervisor said right now we have a dumpster that is filled with debris as per an agreement with Mr. Wolfman. The problem is that he will not allow us to take the dumpster away - he locks the gates. He said he will allow us to do so this Friday. This resolution is insurance that he will live up to what he says he will do.

Councilman Kunis said is this property off Woodglen Road and was told that it was. Councilwoman Smith asked if this was litigation asking us to go in and clean up the whole place. Supervisor said this is a court order that would direct him to clean up the place. We could have gone in as of July 8th. We have given him more time and we are trying to work with him on this but he is not the easiest person to work with.

Councilman Kunis said he has planted a lot of trees there. Supervisor said it is not the front but the back. Councilman Kunis asked what kind of debris is in the back. Supervisor said junk, debris, litter, all kinds of fill. The dumpster on the property right now is completely filled up. Councilman Carey said there is also a fence undermined by too much fill pressing against it and it has seeped into the property of the person next door. Supervisor said that must be corrected as well.

RESOLUTION NO. (778-1988) Continued

Supervisor said we are trying to get Mr. Wolfman to clean this up. We are trying to keep the heat on him.

On roll call the vote was as follows:

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

RESOLUTION NO. (779-1988)

AUTHORIZING DIRECTOR OF RECREATION AND PARKS TO EXECUTE NECESSARY CHANGE ORDERS FOR RESTROOM/CHEMIGATION FACILITY AT GERMONDS PARK

Co. Smith offered the following resolution:

WHEREAS, Town board Resolution No. 443-1988, in the amount of \$2,236,846.00, and

WHEREAS, it is in the best interests of the Town of Clarkstown to convert existing storage bays into a combination restroom/chemigation facility at a cost not to exceed \$90,000.00,

NOW, THEREFORE, be it

RESOLVED, based upon the recommendation of Henry Horowitz, P.E., that Edward J. Ghiazza, Supt. of Recreation and Parks, is hereby authorized to execute the necessary change orders for the above restroom/chemigation facility on behalf of the Town of Clarkstown regarding the General Construction, Plumbing and Electrical Contracts for the Germonds Park Improvement Project, total project not to exceed \$2,326,846.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (780-1988)

AUTHORIZING SUPERVISOR TO FILE RECREATION PROJECT RENEWAL "COMMUNITY RECREATION PROGRAMS" WITH NEW YORK STATE DIVISION FOR YOUTH FOR JANUARY 1, 1989 THROUGH DECEMBER 31, 1989

Co. Smith offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Supt. of Recreation and Parks, that the Supervisor is hereby authorized to file a Recreation Project Renewal application entitled "Community Recreation Programs" with the New York State Division for Youth, in the amount of \$11,374.50 for the period commencing January 1, 1989 through December 31, 1989.

Seconded by Co. Kunis

RESOLUTION NO. (780-1988) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (781-1988)

AUTHORIZING FIRE LANE
DESIGNATIONS AT STREET
COMMUNITY CENTER - MAP 61,
BLOCK A, LOT 8

Co. Carey offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly described as Chapter 102, Sec. 14 of the Code of the Town of Clarkstown, at

STREET COMMUNITY CENTER
ZUKOR ROAD
NEW CITY, NEW YORK 10956 61-A-8

by the installation of fire lane designations, and

WHEREAS, Joy Emanuele, the owner and/or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (782-1988)

AUTHORIZING REPROGRAMMING
OF 1987 COMMUNITY
DEVELOPMENT FUNDS FOR
VILLAGE OF SPRING VALLEY

Co. Smith offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the reprogramming of \$8,000.00 from the 1987 Community Development funds allocated pursuant to Resolution No. 381-1987, dated April 7, 1987, for the construction of curbs and sidewalks on White Street in the Village of Spring Valley, to the

Continued on Next Page

RESOLUTION NO. (782-1988) Continued

Village of Spring Valley for that same project for which they will be lead agency, and be it

FURTHER RESOLVED, that the Town Clerk shall transmit a copy of this resolution to the Village of Spring Valley.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (783-1988)

RESCINDING BID #70-1988 -
PARKING LOT RENOVATIONS AT
LAKE NANUET PARK

Co. Carey offered the following resolution:

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

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

is hereby rescinded.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (784-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #84-1988 -
TRAFFIC SIGNAL
INSTALLATION, WEST
CLARKSTOWN ROAD AND TUNNEL
BY-PASS ROAD

Co. Smith offered the following resolution:

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

BID #84-1988
TRAFFIC SIGNAL INSTALLATION, WEST
CLARKSTOWN ROAD AND TUNNEL BY-PASS ROAD

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, September 23, 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.

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RESOLUTION NO. (784-1988) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (785-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #88-1988 -
LIQUID CALCIUM CHLORIDE

Co. Smith offered the following resolution:

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

BID #88-1988
LIQUID CALCIUM CHLORIDE

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,
September 29, 1988 at which time bids will be opened and read, and
be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (786-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #87-1988 -
FRINK SNOW PLOW REPLACEMENT
PARTS

Co. Smith offered the following resolution:

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

BID #87-1988
FRINK SNOW PLOW REPLACEMENT PARTS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Friday,
September 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.

Continued on Next Page

RESOLUTION NO. (786-1988) Continued

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (787-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #86-1988 -
LEAF RECEIVER BOX(ES)

Co. Smith offered the following resolution:

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

BID #86-1988
LEAF RECEIVER BOX(ES)

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,
September 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. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (788-1988)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #85-1988 -
TRAILER MOUNTED LEAF LOADER
FOR CLARKSTOWN HIGHWAY
DEPARTMENT

Co. Smith offered the following resolution:

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

BID #85-1988
TRAILER MOUNTED LEAF LOADER FOR
CLARKSTOWN HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Clarkstown Director of
Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on
Monday, September 19, 1988 at which time bids will be opened and
read, and be it

Continued on Next Page

RESOLUTION NO. (788-1988) Continued

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (789-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #83-1988 - STREET COMMUNITY CENTER ROOF REHABILITATION

Co. Smith offered the following resolution:

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

BID #83-1988
STREET COMMUNITY CENTER ROOF REHABILITATION

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, September 22, 1988 at which time bids will be opened and read, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (790-1988)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #32-1988 - HEATONS POND DAM RECONSTRUCTION

Co. Smith offered the following resolution:

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

BID #32-1988
HEATONS POND DAM RECONSTRUCTION

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, September 16, 1988 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (790-1988) Continued

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (791-1988)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING
(SHAPIRO)

Supv. Holbrook offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to take all necessary steps, including commencing litigation, on behalf of the Town of Clarkstown to collect for damages resulting from an automobile accident caused by KEITH M. SHAPIRO, 3 Forest Avenue, Nanuet, New York 10954.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (792-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
MARIANNE HILL SUBDIVISION

Co. Carey offered the following resolution:

WHEREAS, a written Petition dated July 11, 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)

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, New York, in said Town of Clarkstown, on the 15th day of September, 1988 at 8:45 P.M. DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Smith

Continued on Next Page

RESOLUTION NO. (792-1988) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (793-1988)	RECOGNIZING PERMANENT APPOINTMENT OF RECREATION INFORMATION CLERK (PATRICIA SMITH)
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Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the permanent appointment by the Parks Board and Recreation Commission of Patricia Smith, 332 Strawtown Road, New City, New York, as Recreation Information Clerk, at the current 1988 annual salary of \$16,862.00, effective and retroactive to July 14, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (794-1988)	ACCEPTING RESIGNATION OF MOTOR EQUIPMENT OPERATOR I - HIGHWAY DEPARTMENT (RYAN P. SHERIDAN)
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Co. Carey offered the following resolution:

RESOLVED, that the resignation of Ryan P. Sheridan, 673 Waters Edge, Valley Cottage, New York - Motor Equipment Operator I - Highway Department - is hereby accepted - effective and retroactive to July 19, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (795-1988)	APPOINTING TO POSITION OF LABORER - SANITARY LANDFILL (JOHN KOLKA)
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Co. Carey offered the following resolution:

RESOLVED, that John F. Kolka, II, 8 Kolka Lane, New City, New York, is hereby appointed to the position of Laborer - Sanitary Landfill - at the current 1988 annual salary of \$16,534.00 - effective and retroactive to August 1, 1988.

Continued on Next Page

RESOLUTION NO. (795-1988) Continued

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (796-1988)

ACCEPTING RESIGNATION OF
REAL PROPERTY DATA
COLLECTOR - ASSESSOR'S
OFFICE (SALVATORE LANDRO)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Salvatore A. Landro,
7 Wyndham Lane, New City, New York - Real Property Data Collector -
Assessor's Office - is hereby accepted - effective and retroactive
to August 5, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (797-1988)

ACCEPTING RESIGNATION OF
ASSISTANT MAINTENANCE
MECHANIC - SEWER DEPARTMENT
(FRANK BRUNO)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Frank Bruno, 14
Pigeon Hill Road, Nanuet, New York - Assistant Maintenance Mechanic
- Sewer Department - is hereby accepted - effective and retroactive
to July 20, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (798-1988)

ACCEPTING RESIGNATION OF
POLICE RADIO DISPATCHER -
POLICE DEPARTMENT (JOHN
COYLE)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of John W. Coyle, 112
Red Hill Road, New City, New York - Police Radio Dispatcher -

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RESOLUTION NO. (798-1988) Continued

Police Department - is hereby accepted - effective and retroactive to July 23, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (799-1988)

RECLASSIFYING POSITION OF
TYPIST TO SENIOR TYPIST -
TOWN JUSTICE DEPARTMENT

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 23, 1988 that the position of Typist (encumbered by Eleanor O'Brien) can be reclassified to the position of Senior Typist,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist (encumbered by Eleanor O'Brien) - Town Justice Department - is hereby reclassified to the position of Senior Typist - effective and retroactive to August 8, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (800-1988)

APPOINTING TO POSITION OF
SENIOR TYPIST - TOWN
JUSTICE DEPARTMENT (ELEANOR
O'BRIEN)

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Senior Typist #88196 RC-NCP, which contains the name of Eleanor O'Brien,

NOW, THEREFORE, be it

RESOLVED, that Eleanor O'Brien, 9 Shannon Lane, West Nyack, New York, is hereby appointed to the position of Senior Typist - Town Justice Department - at the current 1988 annual salary of \$18,382.00, effective and retroactive to August 8, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (800-1988) Continued

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

RESOLUTION NO. (801-1988)

GRANTING SICK LEAVE OF
ABSENCE TO MOTOR EQUIPMENT
OPERATOR II - HIGHWAY
DEPARTMENT (DONALD WERBECK)

Co. Carey offered the following resolution:

RESOLVED, that in accordance with article XVIII,
Section 3(k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of the C.S.E.A., Donald Werbeck, 33 Whitman
Street, Congers, New York - Motor Equipment Operator II - Highway
Department - is hereby granted a Sick Leave of Absence - at one-half
pay - effective and retroactive to July 13, 1988 to August 15, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (802-1988)

GRANTING EXTENSION OF SICK
LEAVE OF ABSENCE TO MOTOR
EQUIPMENT OPERATOR II -
HIGHWAY DEPARTMENT (DONALD
WERBECK)

Co. Carey offered the following resolution:

RESOLVED, that in accordance with Article XVIII,
Section 3(k) of the Labor Agreement between the Town of Clarkstown
and the Clarkstown Unit of the C.S.E.A., Donald Werbeck, 33 Whitman
Street, Congers, New York - Motor Equipment Operator II - Highway
Department - is hereby granted an extension of his sick leave of
absence - at one-half pay - effective and retroactive to August 15,
1988 to September 15, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (803-1988)

APPOINTING TO POSITION OF
(TEMPORARY) LEGAL
STENOGRAPHER - TOWN
ATTORNEY'S OFFICE (ROSEMARY
SANFRATELLO)

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (803-1988) Continued

RESOLVED, that Rosemary Sanfratello, 16 Tanglewood Court, Congers, New York - is hereby appointed to the position of (Temporary) Legal Stenographer - Town Attorney's Office - at the current 1988 annual salary of \$16,534.00, effective August 29, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (804-1988)

APPOINTING TO POSITION OF
(PROVISIONAL) SENIOR
STENOGRAPHER) - TOWN
HIGHWAY DEPARTMENT
(JOSEPHINE WALSH)

Co. Carey offered the following resolution:

RESOLVED, that Josephine Walsh, 209 Radcliff Drive, Upper Nyack, New York, is hereby appointed to the position of (Provisional) Senior Stenographer - Town Highway Department - at the current 1988 annual salary of \$15,840.00, effective August 29, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (805-1988)

REAPPOINTING TO POSITION OF
MEMBER - PARKS BOARD AND
RECREATION COMMISSION
(KENNETH VOORHIS)

Co. Carey offered the following resolution:

RESOLVED, that Kenneth Voorhis, 125 Sunset View Drive, West Nyack, New York, is hereby reappointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term effective September 1, 1988 and to expire on August 15, 1993.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (806-1988)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
CHIEF - POLICE DEPARTMENT
(WILLIAM J. COLLINS)

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #88055 Police Chief which contains the name of William J. Collins,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the (permanent) appointment by the Police Commission of William J. Collins, 27 Frederic Street, Nanuet, New York, as Police Chief - Police Department - at the current 1988 annual salary of \$73,733.00, effective and retroactive to August 12, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (807-1988)

GRANTING LEAVE OF ABSENCE
TO SENIOR STENOGRAPHER -
POLICE DEPARTMENT (KATHLEEN
COLE-HATCHARD)

Co. Carey offered the following resolution:

WHEREAS, Kathleen Cole-Hatchard has requested a leave of absence, without pay,

WHEREAS, Article XIX, Section I of the Town of Clarkstown Labor Agreement of January 1, 1987 provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that Kathleen Cole-Hatchard, R.R. 1, Box 59A, Stony Point, New York - Senior Stenographer - Police Department - is hereby granted a leave of absence, without pay, effective August 12, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (808-1988)

APPOINTING TO POSITION OF
(TEMPORARY) SENIOR
STENOGRAPHER - POLICE
DEPARTMENT (JOAN GIBBS)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Joan Gibbs, 8 Langschur Court, Thiells, New York, to the position of (Temporary) Senior Stenographer - Police Department - at the current 1988 annual salary of \$15,840.00, effective and retroactive to August 22, 1988.

Seconded by Co. Kunis

Continued on Next Page

RESOLUTION NO. (808-1988) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (809-1988)

CREATING THREE (3)
POSITIONS OF POLICE OFFICER
- POLICE DEPARTMENT

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 11, 1988 that three (3) positions of Police Officer can be created,

NOW, THEREFORE, be it

RESOLVED, that the three (3) positions of Police Officer - Police Department - are hereby created - effective August 12, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (810-1988)

CREATING ONE (1) POSITION
OF POLICE SERGEANT - POLICE
DEPARTMENT

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 11, 1988 that one (1) position of Police Sergeant can be created,

NOW, THEREFORE, be it

RESOLVED, that one (1) position of Police Sergeant - Police Department - is hereby created - effective August 12, 1988.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (811-1988)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT TO
PROVIDE ORANGE AND ROCKLAND

Continued on Next Page

RESOLUTION NO. (811-1988) Continued

UTILITIES WITH EASEMENT
(LAKE NANUET ELECTRICAL
SERVICE PROJECT)

Co. Carey offered the following resolution:

WHEREAS, it is necessary for the completion of a project known as "Lake Nanuet Electrical Service" to provide Orange and Rockland Utilities with an agreement for service and a utility easement;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement in a form approved by the Town Attorney and to provide Orange and Rockland Utilities with a utility easement as described and necessary for the completion of the Lake Nanuet Electrical Service Project.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (812-1988)

AUTHORIZING ATTENDANCE AT
PUBLIC WORKSHOP TO EXPLAIN
AND ASSIST IN APPLYING FOR
GRANT FUNDING UNDER LOCAL
RESOURCE, REUSE AND
RECOVERY PROGRAM (LESLIE F.
BOLLMAN) - CHARGE TO
APPROPRIATION ACCOUNT NO. A
1010-414

Co. Smith offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, Department of Environmental Control, Town of Clarkstown, is hereby authorized to attend a public workshop to explain and assist in applying for up to 75 percent grant funding under the Local Resource, Reuse and Recovery Program, to be held on Monday, August 22, 1988, at the New York State Department of Environmental Conservation, Central Office, 20 Wolf Road, Albany, New York, and be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (813-1988)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT TO INCLUDE RON
WEISS (ROCKLAND HYUNDAI -
NYACK WATER DISTRICT)

RESOLUTION NO. (813-1988) Continued

Co. Carey offered the following resolution:

WHEREAS, a written Petition dated June 29, 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 Clakstown Consolidated Water Supply District No. 1 in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 15th day of September, 1988 at 8:50 P.M., DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (814-1988)

REJECTING ALL PROPOSALS
RECEIVED FOR BID #36-1988 -
PILE FOUNDATION - FOR SOLID
WASTE RECYCLING CENTER

Co. Smith offered the following resolution:

RESOLVED, that all proposals received for:

BID #36-1988
PILE FOUNDATION - FOR SOLID
WASTE RECYCLING CENTER

are hereby rejected and bid is cancelled.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (815-1988)

AUTHORIZING SUPERVISOR TO
EXTEND AGREEMENT WITH
ROBERT GENESLAW CO. FOR
PLANNING SERVICES - CHARGE
TO ACCOUNT NO. B 8020-409

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (815-1988) Continued

RESOLVED, that the Supervisor is hereby authorized to extend an agreement for a term of four and one half months with Robert Geneslaw Co., to provide planning consultant services to the Town of Clarkstown for the period from August 16, 1988 to December 31, 1988, pursuant to the same terms and conditions contained in the contract with RPPW, Inc., which was executed on June 4, 1986, and be it

FURTHER RESOLVED, that the appropriation for the period of four and one half months shall be \$33,340.50, and be it

FURTHER RESOLVED, that the amount referred to above shall be charged to Account No. B 8020-409.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (816-1988)

AUTHORIZING SUPERVISOR TO
FILE APPLICATION FOR COUNTY
RECYCLING FUNDS

Co. Carey offered the following resolution:

WHEREAS, the County of Rockland has established a Recycling Incentive Program and a Recycling Program Policy for the County of Rockland (Resolution No. 85 of 1988):

NOW, THEREFORE, be it

RESOLVED, that by the Town Board of the Town of Clarkstown, the Town of Clarkstown be a participant in the program, and be it

FURTHER RESOLVED, authorization is hereby granted to file the Application for the County Recycling Funds and Supervisor, Charles E. Holbrook, is hereby authorized to sign same.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (817-1988)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
KORN, ROSENBAUM, PHILLIPS &
JAUNTIG FOR INDEPENDENT
AUDIT FOR THE YEARS 1988
AND 1989 - CHARGE TO
ACCOUNT NO. A 1320-409

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (817-1988) Continued

RESOLVED, that based on the recommendation of the Town Comptroller, the Supervisor is hereby authorized to enter into an agreement with Korn, Rosenbaum, Phillips & Jauntig, Certified Public Accountants, with offices at 117 Route 9W, Haverstraw, New York, for an independent audit for the years 1988 and 1989, for the sums of \$23,000.00 for the year 1988 and the sum of \$24,000.00 for the year 1989, said fees shall be charged to Account No. A-1320-409, which agreement shall be in a form satisfactory to the Town Attorney.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (818-1988)

AUTHORIZING ATTENDANCE AT SEMINAR ON SOLID WASTE MANAGEMENT (LESLIE BOLLMAN AND GERALD BRICKWOOD) - ENVIRONMENTAL CONTROL - CHARGE TO APPROPRIATION ACCOUNT NO. A 1010-414

Co. Smith offered the following resolution:

RESOLVED, that Leslie F. Bollman, Director, and Gerald Brickwood, Deputy Director, Department of Environmental Control, are hereby authorized to attend a seminar on Solid Waste Management to be held on October 3 and 4, 1988, at the Otesaga Hotel, Cooperstown, New York, and be it

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

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (819-1988)

GRANTING CERTIFICATES OF REGISTRATION TO NON-STOP SEWER & DRAIN (NO. 88-24) AND FRANK SEMERARO CONSTRUCTION CO., INC. (NO. 88-25)

Co. Carey offered the following resolution:

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

- | | |
|-----------------------------|----------------------------------|
| NON-STOP SEWER & DRAIN | FRANK SEMERARO CONSTRUCTION CO., |
| 26 Hunt Avenue | Inc. |
| Pearl River, New York 10965 | 333 Ratzler Road |
| | Wayne, New Jersey 07470 |

NOW, THEREFORE, be it

RESOLUTION NO. (819-1988) Continued

RESOLVED, that the following Certificates of Registration be issued:

- No. 88-24 issued to NON-STOP SEWER & DRAIN
 - No. 88-25 issued to FRANK SEMERARO CONSTRUCTION CO.,
- INC.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (820-1988)

AUTHORIZING ATTENDANCE AT
CONFERENCE ON SOLID WASTE

Supv. Holbrook offered the following resolution:

RESOLVED, that the following are hereby authorized to attend a Solid Waste Conference to be held at Saratoga Springs, New York on September 23-25, 1988, sponsored by the New York State Association of Environmental Management Councils and the New York State Association of Conservation Commissions at a fee of \$35.00 per person:

- MURRAY N. JACOBSON, Town Attorney
- ANN MARIE SMITH, Councilwoman
- JOHN R. MALONEY, Councilman

and be it

FURTHER RESOLVED, that the expense for the above, plus travel and other necessary expenses be charged to Account No. A 1010-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (821-1988)

AUTHORIZING PARKS BOARD AND
RECREATION COMMISSION TO
ENTER INTO LEASE WITH GRACE
CONSERVATIVE BAPTIST CHURCH
FOR PRE-SCHOOL PROGRAM -
CHARGE TO ACCOUNT NO. A
7141-424

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby authorizes the Town of Clarkstown Parks Board and Recreation Commission to enter into a lease, in a form satisfactory to the Town Attorney, with the Grace Conservative Baptist Church to conduct a pre-school program in Nanuet, New York, and be it

Continued on Next Page

RESOLUTION NO. (821-1988) Continued

FURTHER RESOLVED, that the Tenant shall pay rent in the sum of \$100.00 per week, payable monthly provided, however, that the Tenant shall not be obligated to pay rent for any week in which the premises are not actually utilized by the Tenant. Further, the rent shall not be prorated within any particular week, and Tenant shall be responsible for paying rent for the entire week if the premises are actually utilized during any particular week. The lease shall commence on August 19, 1988 and shall terminate on June 23, 1989, and be it

FURTHER RESOLVED, that such fee shall be charged to Account No. A-7141-424.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (822-1988)

AUTHORIZING SUPERVISOR
TO SIGN HOME RULE
REQUEST AMENDING SECTION
271 OF HIGHWAY LAW WITH
RESPECT TO FUNDS FOR
PURCHASE OF HIGHWAY
EQUIPMENT

Co. Carey offered the following resolution:

WHEREAS, the cost of the purchase of certain highway equipment has risen rapidly in recent years, and

WHEREAS, Section 271 of the Highway Law, as amended, provides in subdivision 3a(1) that a limitation of \$200,000.00 only may be raised by taxes for highway equipment in Clarkstown, and

WHEREAS, the Town Board is desirous to increase the limits in the Town of Clarkstown to \$450,000.00 for the purchase of the highway equipment enumerated in Section 271 of the Highway Law and to have introduced into the State Legislature an Act to amend the Highway Law, in relation to the limitation on the amount expendable for equipment with respect to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor of the Town of Clarkstown to sign a Home Rule request concerning such a bill amending Section 271 of the Highway Law, and be it

FURTHER RESOLVED, that such Home Rule request shall be forwarded to the Assembly and Senate of the State of New York.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (823-1988)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
TOWN OF RAMAPO FOR DUMPING
OF GARBAGE AND REFUSE

Co. Kunis offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is authorized to enter into an agreement in writing with the Town of Ramapo, in a form satisfactory to the Town Attorney, which agreement shall provide for the dumping of garbage and refuse, originating in the Town of Ramapo, into the Clarkstown Sanitary Landfill, which dumping shall be done at the following charge:

- a) If bailed garbage and refuse, the fee for dumping shall be \$51.00 per ton in cash, together with \$4.00 per ton additional in fill for cover, equipment and manpower;
- b) If unbailed garbage and refuse, the fee for dumping shall be \$56.00 per ton in cash, together with \$4.00 per ton additional in full for cover, equipment and manpower; and be it

FURTHER RESOLVED, that the said agreement shall run from January 1, 1989 until December 31, 1989 and shall be cancelable upon 60 days written notice, and be it

FURTHER RESOLVED, that the said contract shall be signed by September 15, 1988.

Seconded by Co. Carey

On roll call the vote was as follows:

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

Supervisor made mention of discussions regarding Clarkstown support for a County Sanitation and Refuse District. He said it was the feeling of the Clarkstown Town Board that the direction for the County to go in terms of solid waste is a County District in which all of the landfills, baling stations, etc., should be part of this district so that each of the Towns is an equal contributor as well as an equal payer in terms of getting rid of solid waste. He said we recognize that the likelihood of the Clarkstown Landfill being in existence prior to a permanent solution for solid waste is not very good. He said we recognize that sometime in the future we might be forced to take our garbage to other communities. However, he said, that situation should be dealt with in Rockland County and we would support the creation of a County Sanitation and Refuse District just for that purpose which could include, but would not be limited to, the removal of garbage to other areas on a temporary basis, not necessarily the one named in Sullivan County; the establishment of a Resource Recovery Plant and/or Landfill at some environmentally sound site in Rockland County; and thirdly, the creation of a County Recycling Program which would help to remove from the waste stream many tons of refuse which we would not have to truck or landfill or incinerate. He said that would make the best sense for the Town of Clarkstown. He said he was speaking on behalf of the Town Board members.

Supervisor said in consultations with the Town of Ramapo Supervisor Reisman has indicated to us that he is in agreement

Continued on Next Page

with this course of action and would support the creation of a County Sanitation and Refuse District.

Supervisor noted in negotiations with the Town of Orangetown for the removal of solid waste upcoming, this also will be a prerequisite of any agreement of the Town of Orangetown to dump in the Clarktown Sanitary Landfill.

Councilman Kunis said they had discussed that all townships in Rockland County were to participate in a solid waste regional district. He mentioned that there were certain assets that various communities now have and there are other communities that do not have those assets such as a landfill. Some communities in the County that have these assets will have to pool these assets with other communities in the County that don't have assets such as a landfill or a location to which to take their solid waste. He said by solving the solid waste problem on a County-wide basis the money used to solve this problem will remain in Rockland County. He felt it could probably be done for a lot less money than the proposed cost of shipping solid waste to Sullivan County. He said for the Town of Ramapo to ship garbage three miles southeast to the Clarkstown Landfill, based on the Town of Ramapo's revised tentative budget for the garbage disposal in 1989, residents of Ramapo will pay \$7,496,000.00 which comes to approximately \$105.72 per ton.

Councilman Kunis went on to state that if only a select few townships in Rockland County were to participate in a plan of this nature the cost of each of these townships to ship this garbage out of the County would be approximately \$105.00 per ton which comes out to approximately \$400 to \$450 per family in the Town of Ramapo to pay in disposal and collection fees. Here in Clarkstown each single family residence now pays \$12.75 per month to their carter. If we were to be involved in a plan to ship our garbage to the Town of Mamakating and only, for example, three out of five towns participated in the County and the County did not participate as a whole, the Town of Clarkstown homeowners can be prepared to pay approximately the same as what is being paid in the Town of Ramapo. Councilman Kunis said this Town Board realizes that this is cost prohibitive and it makes sense to solve our problem on a County-wide basis as the County Executive has indicated. He said he thinks we support him in solving this on a County-wide basis with five towns in the County participating - not three out of five towns.

Supervisor announced that the Brega hearing scheduled for 8:00 P.M. was off for this evening.

On motion of Councilwoman Smith, seconded by Supervisor Holbrook and unanimously adopted, the Public Hearings re: Zone Change (Parker Nanuet Associates - Map 164, Block A, Lot 1+) and DEIS (Parker Nanuet Associates - Map 164, Block A, Lot 1+), were opened, time: 9:00 P.M..

(During this hearing Supervisor Holbrook gave the people waiting for the next public hearing (Route 59 Corridor - Vicinity of the Christian Love Redeeming Church) an opportunity to have that hearing recessed until September 15th at which time they would be heard first. They would not have to wait until this hearing is over tonight which might be quite late. It was agreed that the hearing would be opened and recessed until September 15th. Supervisor noted that this hearing was on a motion of the Town Board not a motion of the Church. Supervisor said if people want to come into his office he would be able to explain it better. People will then be better versed on it. He said people could also go to the Planning Board for an explanation. Any office in Town Hall, if they have the information available, is prepared to provide any information people want on this change.)

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On motion of Councilwoman Smith, seconded by Councilman Kunis and unanimously adopted, the Public Hearings re: Zone Change (Parker Nanuet Associates - Map 164, Block A, Lot 1+) and DEIS (Parker Nanuet Associates - Map 164, Block A, Lot 1+) were continued to September 27, 1988, time: 11:16 P.M..

Town Attorney suggested that the last public hearing be opened and then adjourned.

On motion of Councilwoman Smith, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change - Rt. 59 Corridor (Vicinity of Christian Love Redeeming Church) was opened, time 9:17 P.M. and continued to September 15, 1988 at 8:00 P.M., time: 11:17 P.M.

RESOLUTION NO. (824-1988)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
HYDRANT ONE (1) W/S ROUTE
9W N/O LAKEWOOD DRIVE

Co. Carey offered the following resolution:

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

One (1) hydrant as follows:
W/S Route 9W 1720' N/O Lakewood Drive

Investigation No. 10376, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (825-1988)

AUTHORIZING SPRING VALLEY
WATER COMPANY TO INSTALL
THREE (3) HYDRANTS W/S
CAVALRY DRIVE S/O KING
ARTHURS COURT; N/S KING
ARTHURS CT. 50' E/O CAVALRY
ROAD; E/S CAVALRY ROAD S/O
ROUTE 304

Co. Carey offered the following resolution:

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

Three (3) hydrants as follows:
W/S of Cavalry S/O King Arthurs Ct.
N/S of King Arthurs Ct. 50' E/O Cavalry Rd.
E/S Cavalry Rd. 80' S/O Rt. 304

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RESOLUTION NO. (825-1988) Continued

Investigation No. 9487.1, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (826-1988)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET
LIGHTING AT PHILLIPS HILL
ROAD, NEW CITY

Co. Carey offered the following resolution:

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

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

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

NOW, THEREFORE, be it

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

- Phillips Hill Road New City
- (Existing pole number 59321/42429 - one (1) 5800
- lumen sodium vapor street light
- Existing pole located in front of house number 65)

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (827-1988)

ACCEPTING PROPOSALS FROM
ORANGE AND ROCKLAND
UTILITIES, INC., FOR STREET
LIGHTING AT RICHARD DRIVE,
WEST NYACK

Co. Carey offered the following resolution:

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

TOWN OF CLARKSTOWN
PUBLIC HEARING

219

Town Hall

8/16/88

9:00 P.M.

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

RE: PARKER-NANUET ASSOCIATES ZONE CHANGE AND DEIS
(MAP 164, BLOCK A, LOT 1+)

On motion of Councilwoman Smith, seconded by Supervisor Holbrook Public Hearing was opened. Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Town Attorney noted receipt of approval from the Rockland County Commissioner of Planning dated August 12, 1988 subject to conditions noted. (This report, with conditions listed, is on file in Town Clerk's office.)

Supervisor called upon Mr. Robert Geneslaw, Town Planning Consultant. Mr. Geneslaw said the Town Planning Board has not had this matter on its agenda yet. He said they were anxious to hear from the County Planning Board which submitted its report late last week. The Town Planning Board has it on its agenda for the 24th of this month (August) and they may make a recommendation that evening. He stated they had received additional correspondence in response to the DEIS and that correspondence should be made a part of the record of both the DEIS Public Hearing and the Zone Change Public Hearing. He noted that copies of all correspondence received by the Town Planning Board had been sent to the Town Clerk and to the Town Attorney on today's date. He referred to all of these. (All on file in Town Clerk's office.)

Mr. Geneslaw said they had previously submitted a letter to the Town Board when the DEIS was initially delivered to the Town raising several questions with respect to traffic and the way in which the development capacity had been calculated. He stated that they have since met with the representatives of the developer and they indicated they would be furnishing additional information. He went on to say in addition to that they had prepared a memorandum on the DEIS dated August 15th which runs approximately seven and one half pages and should be a part of the record.

Supervisor asked Mr. Geneslaw what the gist of their analysis was to this point? Mr. Geneslaw said they have raised a number of questions, the most important having to do with traffic and the way the development capacity was calculated to compare development under present zoning and development under the proposed zoning. He said they felt that the figures which were used to determine development under the present zoning overstated the impact of development that could occur under the present zoning and set up a situation where the proposal would appear to be much less of an impact than the present zoning. Mr. Geneslaw said they had asked the developer to provide some additional information and it is his understanding that they are doing that at the present time.

Mr. Geneslaw said the only other comment he would make is that at the County Planning Board Meeting a number of changes to the proposal were made by the developer's representatives and are not reflected in the DEIS. They should be reflected in the FEIS which they believe should be required by the Town because of the nature of the changes and the comments made so far.

Mr. Geneslaw stated that they believe that the only overall concept plan they have seen does not incorporate the changes. As part of the adoption of the PED Zone Change, apart from the DEIS, a concept master plan should be adopted by the Town Board

Continued on Next Page

as the zoning for the site. The one they have seen is not up to date in terms of what the developer is offering. It should be revised.

Supervisor said in regard to the hearing itself the applicant will be given an opportunity to make a presentation. The Town Board, due to the fact that our Planning Board has not had a chance to specifically review this, will not be making a decision tonight. He said we will either adjourn the meeting or reserve decision. He said if the Town Board members have any questions they will ask them and then the public will have an opportunity to ask questions and make comments. After the public has had an opportunity to discuss this fully the applicant will then have an opportunity to answer those questions or to make a summary comment.

Mr. Zacharakis said that it was a disadvantage to those present not to have the comments of the Town Planning Board. He felt it was a disability to proceed and then the Town would have the benefit of reports at a later date and there would be no opportunity for review of such reports.

Supervisor said we would not reserve decision but continue the hearing to a later date. He felt it was a big enough issue to do this and the public should have the opportunity to comment as fully as they like. The Town Board is prepared rather than simply reserve decision to continue to a date certain to so allow the public to make those comments.

Town Attorney told Mr. Zackarakis that the correspondence received would be available at the Town Clerk's office for review. Supervisor wanted it noted that the hearing would not be redundant but would be continued.

Donald S. Tracy said, in response to Mr. Zackarakis' comments, that the Town Board could not make a decision until the FEIS is complete and not until ten days after that. He said there will be continuing meetings and Mr. Zackarakis' remarks are well taken.

Appearance: Donald S. Tracy, Esq.
representing Parker/Nanuet

Mr. Tracy introduced the consultants they had asked to testify and to present their petition. He mentioned Miss Leslie Bethel from the Martin Group - a planner. The Martin Group is a nationally known organization. Miss Laura Stains, who is a planner and an architect. Mr. Walter Turken, President of Jack Parker Construction Company, one of the joint venturers in this project. Mr. Bill Beckman, who has prepared and will submit a tax analysis. Mr. Tim Miller, who is a land planner and who will present an overview of the planning aspects of the project. Mr. George Kelley who will present the engineering aspects as to drainage. Mr. Martin Schwartz who is a construction superintendent. Mr. Bill Lothian who is a traffic expert and professional engineer who works as a consultant to the Langan Group.

Mr. Tracy said the property in question was at one time the Ramapo Valley Airport and a parcel adjacent to it. The parcel presently consists of 99.623 acres of land and is presently zoned in a PED zone and an LIO zone. The applicant's petition intends to modify and rezone the PED and to change the LIO zone. The basis for the applicant's request will be borne out during the testimony of the experts concerned. He said this is a situation where the existing zoning has been compared with that which is proposed. He said they feel they can make a case and prove, through expert testimony and through the Board's own knowledge of the site and the statistics throughout the Town, that the proposed zoning is of much less impact and is of much greater benefit to the Town as a whole than would be a plan built under the existing zoning. This is a

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rezoning which might be characterized as an upzoning. It is not a situation where either this project gets built or the airport stays vacant. It is a situation which involves either the building of our project as proposed or the building of the airport as zoned. Mr. Tracy then introduced Mr. Tim Miller, a member of the American Institute of Certified Planners, who will discuss the planning aspects of the project.

At this point Mr. Tracy called the Town Board's attention to various exhibits which he stated were accurate from the point of view of topography and were prepared and laid out and also some models of the types of units proposed to be put into the project.

Appearance: Mr. Tim Miller, President
Tim Miller Associates

Mr. Miller stated that his firm, in association with Langan Engineering, was involved in the preparation of the DEIS. He introduced the proposal that is currently before the Town Board and referred to a large scale drawing. He noted that the aerial photo presented was taken in the spring of 1987 and proceeded to note all the structures there or under construction. He said prior to 1978 the entire site was zoned LIO which is limited light industrial/office. In approximately 1978 an application was made by Airport Executive Park to rezone a portion to PED (he referred to this portion on the map) which is a planned economic development. The PED zone basically provides greater flexibility in design and allows uses that are very similar to the limited light industrial/office zone.

Mr. Miller stated that, over the course of the past ten years, these buildings were built on the Airport Executive Park site. The PED was never actually fully built out. He said at the present time a section approximately 30 acres adjacent to the County wetland area (he referred to this on the map) is zoned LIO. He then referred to a section (again using the map) which comprises approximately 69 acres and is zoned PED. He then referred to a small section, which was a parcel split off by virtue of the extension of the Tunnel By-Pass Road, stating that it is about half an acre and is currently zoned LIO.

Mr. Miller said the proposal before the Town Board calls for the rezoning of Sections A1 and A2 (on the presented map) to MF-2. This would allow up to 500 residential units in this area. He noted that A3 and A4 (on the presented map), which comprise approximately 50 acres, would be resubmitted with a new PED application. He said he wanted to go over briefly the methodology used in preparing the DEIS. He said the application before the Town Board is a rezoning application and in association with the PED, as Mr. Geneslaw pointed out, a conceptual site plan would need to be submitted and that plan would then be generally adhered to in the subsequent development of the property. He said because this is rezoning application they want to establish a methodology whereby a fair and equitable impact analysis could be done. This is not a site plan that is in a vacuum but a rezoning.

He said in order to do this they had looked at the Town zoning code and determined what the possible development potential would be for this site as it exists today with the LIO and the PED designation. They came up with a calculation of total square footage that is based on criteria in the Town zoning code. Under the existing designations for the property, and not including the approximately 117,000 square feet of construction that has already taken place on the property, they had determined that about 1,000,000 square feet of light industrial/warehousing types of uses could be built on the entire 99+ acres in addition to this area that has already been developed. He said they used that as the base case to which they would compare the rezoning application.

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Mr. Miller said the rezoning application would provide for the A1 and A2 (sections on the map) to again become MF-2 which is about half the site. It would become multi-family and would allow for approximately 500 residential units. The A3 and A4 (sections on the map) would become a new PED zone, about 50 acres. The concept plan, which will be prepared and submitted with this application, will call for approximately 550,000 square feet of light industrial and office developments.

Mr. Miller said under existing zoning you can add approximately 1,000,000 square feet of light industrial and office to the entire site. That could occur today, as of right, with no zoning change with site plan review only. Under the proposal about 550,000 square feet of light office/industrial - about 500 residential units. The net difference between the two is a trade-off of about 500,000 square feet of light office/industrial under the existing zoning versus approximately 500 residential units.

Mr. Miller said the DEIS was prepared basically comparing the impact - what would happen if you built this project under existing zoning? What would happen if you prepared the site, graded the site, put 1,000,000 square feet of light industrial/office on the property versus what would happen if you built 500,000 square feet of light industrial/office and 500 residential units? He said what they wanted to do was to present some of the highlights of the DEIS. He said there are three very important areas where one could see the differences between building under the existing zoning versus building under the proposed rezoning.

Mr. Miller said one very obvious and clear difference is in Section A1 and A2 where instead of having large footprint office type buildings with substantial amounts of parking area there would be an opportunity to work with the grades and create smaller areas for residential clusters. He said the type of light industrial development that is called for under the LIO/PED type zoning is 1 to 1 stories, perhaps 3 stories, office type buildings. Large footprints - large parking areas. One big difference is what would physically be happening to the site. In order to prepare this area for construction would require substantial earth work, substantial grading and also, in comparing the two, a difference of approximately 1,200 parking spaces. The existing zoning - 1,000,000 square feet - approximately 3,600 parking spaces will be required. Proposed zoning - 500,000 square feet - 500 residential units - approximately 1,200 parking spaces less.

In terms of what would happen at the site you are talking about what would amount to a sea of asphalt type of situation versus, when you see the site plan for the residential components, a much greater opportunity to preserve vegetation or provide additional landscaping, etc.

Mr. Miller said the second area where there is a substantial difference would really pertain to the traffic that would be generated by the proposed rezoning versus the zoning under present conditions. He said Mr. Bill Lothian of Langan Engineers would give a much more detailed review as to traffic but the most significant area is, under the existing zoning - 1,000,000 square feet of new office development - you are going to create an attraction in the morning where all the traffic would be coming into this area for people to get to work. In the evening the same type of thing will be happening. With the rezoning proposal you are going to have a greater balancing effect taking place with regard to traffic. Part of the site will be attracting trips and part of the site will be generating trips. Instead of having all that traffic coming in on one or two links of an intersection you are actually creating a balancing effect where the intersection's capacity is not so fully used up.

Mr. Miller said the third difference has to do with the tax revenues that would be generated. Under the existing proposal

versus the proposed proposal, development under the proposed rezoning would generate approximately two to three times as many tax revenues as would occur under the existing zoning.

Appearance: Ms. Laura Stains
Martin Architects and Planners

Ms. Stains said Martin Architects is well known throughout the country as architects and planners. They are especially sensitive to developments such as these in established residential neighborhoods, with the additional consideration of the topography that is indigenous to this area. She said when first consulted by the applicant, and in initial discussions with Mr. Tracy in developing this plan, they were very well aware of the sensitive nature of this particular location from a number of points of view.

Ms. Stains said they had brought along several illustrations and several models. There are a number of purposes for this, one being to basically give themselves a better understanding of the site. She invited everyone in the audience and the Town Board to take a look at the models after the presentation so that a better understanding could be achieved of how the terrain does work with the buildings and vice versa. She referred to one particular model which she said took into consideration the entire 99 acre parcel they were describing. There was referral at this point to the model showing the proposed development within the PED. She said this illustrated the overall approximate building sizes that would be expected in a commercial zone plus the associated parking that would go along with it. She said along with that they should notice the reduction in the tree and other vegetative matter in the area.

Ms. Stains then pointed out the residential side where the intended development for the residential portion was illustrated. She stated that one of the key factors in this site is the traffic implication. She said what they have done in preparing the site is the client has voluntarily added a four lane boulevard road which bisects the property and provides direct access from Smith Road eliminating access beyond Smith Road in front of the Russian Orthodox Church and also tying in ultimately to the Tunnel By-Pass Road. What this does is eliminate a tremendous amount of traffic backup along Smith Road. It also provides a direct access from Kingsgate directly through our four lane boulevard to the Tunnel By-Pass Road, thereby minimizing or eliminating a significant amount of traffic along Smith Road.

Ms. Stains said in preparing this particular model they identified a number of issues. In presenting this particular plan they had originally proposed 484 dwelling units. She noted that what they heard in comments from various members of the Board, both Council and Planning Board, was that their initial feeling was that 484 units might be considered too dense for the area. Recognizing that, they went back to the drawing board, evaluated the proposal and felt that the new plan (to which she referred), which illustrates 414 units, is appropriate for that site. (At this point Ms. Stains referred to maps and models citing examples.)

She said the four lane boulevard road would enter their property directly opposite the Kingsgate entrance. Otherwise, she said they anticipated a serious bottleneck. She noted that what they have done is create an access for residents in the existing residential neighborhood to by-pass all of Smith Road, run directly down this nicely vegetated, heavily landscaped four lane boulevard directly to the Tunnel By-Pass Road and thereby gain easy access to both the Thruway and Route 59. She said going directly to their property off the four lane boulevard they are introducing their own entrance gate and entrance feature. She said they have what they call a sub-entrance boulevard which is slightly smaller but would still be heavily landscaped. There will be four lanes entering into

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their property and because of the topography that particular entrance will have a commanding view of the hills in the distance. She said they wanted to take advantage of the magnificent view and therefore the boulevard will be lined with trees and the entrances specifically sited so that there will be a view of the distant hills.

Ms. Stains said the overall community is comprised of 414 homes and they have developed two distinct villages within in the community. To the north is a townhouse development comprised of two bedroom, two bedroom/den and three bedroom homes. To the south of the internal boulevard road will be a multi-family development and within that complex they expect one bedroom and two bedroom homes of either one or two stories. She said of that multi-family development the applicant is offering 24 units for sale, which will be under \$130,000.00, as a first time buyer housing unit which will afford a number of residents of the community the opportunity to purchase units which they might not otherwise be able to do. Those 24 units will be phased throughout the course of construction of the multi-family section in proportion to the balance of the product available.

Ms. Stains mentioned several other features of the site including a clubhouse facility which will be for the private use of the residents of the community. It will incorporate a pool building, a multi-purpose room, nautilus facilities, exercise rooms, changing facilities. The applicant is also proposing a nature walk, park course or running facility which will, in fact, be located within the County wetlands area and which will be open for the use of County residents as well as their own individuals.

Ms. Stains said of the 414 units they are proposing they have approximately 85% two bedrooms, the balance of which would be split approximately evenly between one bedroom and three bedroom. She said they have provided the obligatory 2.4 parking spaces per unit but they have also provided in excess of the 25% covered parking spaces, feeling that is an amenity we would provide for the residents within our community in offering them the opportunity to purchase either covered garages, which are distinct from their unit or, in the town house section, attached garages.

Ms. Stains said they have two distinct areas on the site plan which are considered out parcels. Currently this property is the site of the dog kennels along Smith Road and there are two sites which are related to automobile repair. These are not included in the present application.

Ms. Stains said several of the features being utilized within their community, to express the quality they expect throughout the course of development, are the inclusion of the front entrance gates. They will be developed with a stone facade, then blanketing off to a picket fence to the side and nestling into the landscape along with a non-manned guardhouse which will give a sense of security to those residents moving into the community. She said they have tried to illustrate the boulevard entrance road and this will be more fine-tuned during the engineering phase further along.

Ms. Stains also presented representative elevations of models and went into great detail explaining them to the audience.

Ms. Stains said the multi-family section to the south will be comprised of buildings that will work into the grade and the design had that in mind. These buildings are designed with breezeway attachments so that they can go up and down the hillside and minimize, to the extent possible, major grading changes. She said what they have are single story, and in some cases duplex or town home or two story units, to provide variety for the individual home owners. She said with the variation of the roof plan and the roof play and the materials being offered it will be a very exciting

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residential development and she said they are quite proud of it and she hoped the residents in the nearby area will be proud of it as well.

Ms. Stains said she wanted to go back to the initial concept. She said they had initially proposed 484 dwelling units. She said they are currently proposing 414 which is a reduction of 17% and gives a gross density of under 8.5 dwelling units per acre which is a closer approximation of the MF-1 zone. She said this affords them the opportunity to utilize the open space remaining. The applicant has made a concerted effort to maintain a heavily landscaped community which is to their benefit as well as to the community because it enhances the sales and the client's reputation within the area and it will certainly beautify the area which is currently under a lot of land movement.

Mr. Tracy stated that he wanted to emphasize something in connection with the rezoning. He said at the present time a portion of the property is built as PED. That is advertised in the paper to remain PED and that is the property of the Airport Executive Park. There is no intent to change that particular zone in any way; nor indeed, now that the property lines have been established, could we affect or change that zone in any way.

Appearance: Mr. William Lothian
Langan Engineering Associates

Mr. Lothian said he is a member of the Institute of Transportation Engineers. He said they were retained to assist Miller Associates in the preparation of the DEIS. His responsibility was the preparation of the traffic section. He said the traffic impact analysis on this particular rezoning application was specifically a comparison issue. The existing property is zoned for a certain particular use and there is a certain development potential that can be attributed to that site. This proposed development has a certain amount of office/industrial/warehouse type use remaining on it in the modified PED zone but we are also intending to provide a 414 unit residential development. This comparison compares the traffic impact for what could have been on the site versus the traffic impact for this proposed development. In preparing the analysis he said they dealt closely with the Town Planning Consultant in preparing the methodology for this study.

Mr. Lothian said the study essentially covered several factors. They determined the estimated trip generation for not only the existing development but also those trips that would be generated by the proposed residential and modified PED use. Using standard Institute of Transportation Engineers' rates, and these are rates recognized throughout the transportation field nationwide, they allow us to compare apples to apples so we are in no way comparing apples to oranges on this site. It is a very strict comparison.

Mr. Lothian said their analysis indicates that the existing zone site with the LIO and the PED zoning would generate some 750 to 950 additional traffic trips per hour at a peak hour in the morning than this proposed development which indicates a 414 unit residential development. This is significantly a large amount of traffic that could be on the roadway system should this development be built as of right today, based on the existing zoning. He said they also established the directional distribution based on existing traffic patterns in the area. He said they identified the differences in the trips for both the residential and industrial/office type uses. He said those differences refer back to the balancing of the traffic mentioned by Mr. Miller earlier. In effect balancing occurs when the industrial/office type traffic tends to generate within a half hour period during the morning peak hour. It is coming to this site. It has a purpose and a destination. No matter where you live outside the area, you are coming

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to this particular spot for an office/industrial/warehouse type use and you are essentially arriving during a morning half hour to an hour duration. All of that traffic is on the roadway system coming in one direction. This particular site for the proposed rezoning has residential traffic that would be using this site as a starting point going to some other work place. When you are going to a work place you are essentially leaving the site from possibly 6:30 in the morning to 8:30 in the morning. The traffic impact is spread over a two hour period as opposed to a more focused one half or one hour period for the existing zone use.

Mr. Lothian said they did an analysis in the DEIS of the existing intersections and it is summarized. This is a comparison, again, along Smith Road at the particular intersections at Middletown, at Pascack and at the Kingsgate site access point. Those analyses indicate that the proposed roadway system would operate at a much better level of service with the proposed development zoning as opposed to the existing development and that goes back to the balancing of traffic. The levels of service would be much more improved with the proposed development.

Mr. Lothian said you still must understand that the traffic patterns that you see today at the Tunnel By-Pass Road area and the Spring Valley Market Place are not the traffic patterns you are going to be seeing once the Tunnel By-Pass Road is completed. There is a lot of congestion in the Spring Valley Market Place area that makes it difficult to get around today. It is a very big problem area. Once the Tunnel By-Pass Road is constructed it will alter the traffic patterns to create other means of access to the Palisades Interstate Parkway and also down to the south through this area to the Thruway and also Route 59.

Mr. Lothian said this project is going to be developed over a certain period of time. The full impact is not going to be felt over a day or a one month period so the residential development, as it is occupied, will put certain amounts of traffic on the roadway system gradually. You are going to feel it over a long spread out time period rather than the full impact of one building opening up and you get the full impact on its opening day.

Mr. Lothian said with the proposed zoning you will get less traffic during the peak hours on the roadway system and that is on all the surrounding roadway systems within the regional confines of this site. You will get less truck noise with the proposed development with 500 residential units occupying half of the site. There is not going to be trucks occupying that 50 acres of development supporting industrial or warehouse type uses. Residential zones are quite a bit quieter than some of the adjacent warehouse or industrial type uses.

Mr. Lothian said a comparison of level of service indicates that with the proposed zoning there will be a much better improved level of service on the surrounding roadway system than with the existing zoning.

Mr. Lothian said the traffic conditions will be significantly altered by the change in traffic patterns with the opening of the Tunnel By-Pass Road.

In conclusion, Mr. Lothian said the reduction of this 800 to 1000 trips during the peak hour on the roadway system every day with the proposed versus the existing zone change would be, he felt, a significant benefit to the site area and to the development than that which could be constructed with the existing zoning.

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Appearance: Mr. George Kelly, P.E.
Langan Engineering

Mr. Kelly said his firm was involved in the evaluation of a number of impacts, of which traffic was one. Several of the other conditions examined in detail, in order to prepare the DEIS, consisted of the topography, measures for erosion control, impacts on the existing utilities' systems, and storm water management procedures which could be followed. He said the east portion of the site has considerable slope to it, sloping down toward the County drainage basin. The west portion of the site is relatively flat as evidenced by the fact that there is an airport there. He said it would be considerably easier to build large, industrial type buildings in the flat area than it would be in the hilly area. The zone change being requested would do just that. It would confine all industrial buildings to the flat area where the airport is and allow construction of residential buildings in the eastern portion of the site where the topography is more steep. This would have a considerable effect on the impact that would be created during construction and grading operations. The amount of earth moving that would be required to construct a residential development would be significantly less than what would be required for an office/industrial development.

Mr. Kelley said with regard to erosion control the same would be true. Again less grading would be required, less earth moving would be required, and therefore, erosion control would be easier. This is not to minimize the importance of erosion control and it would be important to prepare a comprehensive erosion control plan. This would be accomplished as part of the construction documents and the latest methods for erosion control would be utilized.

Mr. Kelley said with regard to the water system the site is presently serviced by an 8 inch main in Smith Road and a 24 inch transmission main adjacent to the railroad on the south side of the property. In preparing the impact analysis, he stated that they had evaluated the usage which would be created by the development for the existing zoning as well as the proposed zoning and found that the existing zone condition would have a lesser impact. All of the impacts heard previously indicated that the proposed project would have less impact. In the case of water usage it would be more impact by the proposed development. This is caused simply by the fact that residential units use more water than would office or industrial.

Mr. Kelly said they have presented their calculations and proposals to the Spring Valley Water Company and they have indicated that adequate service is available both in the 24 inch transmission main and the 8 inch service main.

Mr. Kelly said he was skipping some of the other impacts because the impacts are very small, insignificant and probably not of interest to you tonight. The project would be located within the Rockland County Sewer District No. 1 service area. At present there are several collection systems - a 12 inch lateral exists in the Tunnel By-Pass Road; a 30 inch interceptor sewer adjacent to the railroad; a 21 inch interceptor sewer exists in the County drainage area. It is extremely unusual to find a site which is totally surrounded by sanitary sewers and particularly large size sewers such as 24 and 30 inch.

Mr. Kelly said as in the water analysis, the proposed project would generate more waste water than a development under the existing zoning. However, again we have discussed the project with representatives of Rockland County Sewer District No. 1 and they have indicated that the lines are of adequate capacity and sufficient treatment capacity in the plant will be available.

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Mr. Kelly said there is one other impact he would like to discuss and that is storm water management. Presently the bulk of the site drains overland to the east toward the County drainage area. A portion of the site also drains to the west. The County is presently studying the construction of a detention facility in the area adjacent to the property, the purpose of which would be to provide storm water detention for the entire region particularly to the north which is upstream. The detention facility would collect water from those areas. It would store it and discharge it at a reduced rate downstream thereby reducing the flooding which would occur in the downstream areas of the Naurashaun Brook. He said their proposal would be to discharge into a newly constructed storm water pipe in the Tunnel By-Pass Road which was designed for the situation and a contribution by the owners of this project of about \$36,000.00 was made toward the construction of that sewer. It would also discharge into the County detention facility.

Mr. Kelly said the proposed development would generate about 20% less storm water run off than would a development under the existing zoning condition. This is easy to see when you compare the type of construction that you saw at the Airport Executive Park, where it is mostly buildings and mostly asphalt, in lieu of what you saw for the residential area where there is considerable amount of trees. We think with the combination of the County drainage facility as well as the reduction in the storm water runoff that the project will have a favorable impact on the overall drainage characteristics of the area.

Appearance: Mr. Bill Beckman, Tax Analyst
Beckman Realty

Mr. Beckman said there are two proposals to be analysed tonight. We have the 1,000,000 square foot LIO space which is similar to the Airport property versus the LIO space with the residential space. From a tax assessment point of view and also from a Town point of view there is a great benefit in not putting all your eggs in one basket. For example, there is property in Clarkstown, i.e., the Champion Building which is vacant. If we happened to build 1,000,000 square feet of LIO space and in the future the market changed and it went vacant, the tax benefits would decrease for a period of time. There is a benefit in breaking it up. He said they looked directly at the tax implications now and projected them out for a ten year period - what the effect would be of both proposals.

Mr. Beckman said they looked at the 1,000,000 square feet of LIO space. This LIO space would be classified in the Town of Clarkstown as something called non-homestead. Non-homestead today with this particular property does not have a lot of meaning because the East Ramapo School District does not currently adopt the homestead. It could in the future and what that means is, as the development of the property goes on if the homestead is adopted, it will benefit only those commercial properties or other "non-homestead" properties and would not grant relief or stabilize the taxes as they currently are. That is a problem with a 1,000,000 square feet of non-homestead property. He said the first problem is the residents may not benefit, depending upon what happens, and there is always the risk of certiorari in the future with which the Town Board is familiar.

Mr. Beckman then spoke with regard to the 50-50 scenario - 500,000 square feet of commercial property with additional 414 units. These 414 units would be classified as homestead which means that first of all they benefit all the taxpayers directly. Secondly, there is no commercial abatement. On the commercial abatement in Rockland County with a 1,000,000 square feet project you would have a ten year abatement of taxes on it. He said he just ran through some dollar figures and discounted them back. He said basically what has to be done is the assessment has

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to be calculated and his figures are based on comparable assessments from the Assessor's Office. On the 1,000,000 square feet of LIO space we would have a land assessment of approximately \$80,000.00 per acre. Ninety times \$80,000.00 per acre would be an assessment of \$7,200,000.00 for the land and the building assessment for 1,000,000 square feet would be approximately \$30,000,000.00. These are all based on comparable assessment figures. Mr. Beckman said under the 1,000,000 square foot proposal of LIO space we would have a total assessment of approximately \$37,200,000.00.

Mr. Beckman went on to say that under the second scenario we would have the half of the LIO space and we would have an additional 414 units at an approximate assessment of \$125,000.00 per unit. He said he was being conservative and the assessment could be higher. He said what we have now, just in the residential portion, is a total of \$51,750,000.00 in residential assessment. There is no tax abatement on residential assessment. Additionally, you would have another \$3,200,000.00 in land assessment for the LIO space and another \$15,000,000.00 for a total assessment on the LIO space of \$18,200,000.00. Just comparing the two, the total projected assessment for the second scenario is \$69,950,000.00 compared to \$37,200,000.00 which is a difference of \$32,750,000.00 in up front tax assessment dollars. That is before the abatement. He said remember that with commercial property in Rockland County and the Town of Clarkstown the assessment is phased in over ten years. You get 50% off the first year, 45% the second year and it goes down over ten years until the abatement is gone.

Mr. Beckman said as far as dollars go, with 1,000,000 square feet of LIO space, the abatement in the first year based on the \$37,200,000.00 assessment figure is \$15,000,000.00 in construction abatement the first year. The total tax dollars the first year that would be generated from an LIO project would be approximately \$739,000.00. If you take a look at the same property (second scenario) we have a total taxable value the first year of \$62,450,000.00 and that is taking into consideration the fact that 50% of the site would have that LIO abatement. The first year's tax dollars from this proposal would generate approximately \$2,080,000.00.

Councilman Kunis asked if that is with the abatement, how much would it be without the abatement?

Mr. Beckman said they did a ten year discounted cash flow analysis going forward on the taxes figuring what would be realized to the Town and there is a substantial difference. Basically, up front you can see that the first year you would have \$739,000.00 from the LIO development versus the \$2,080,000.00 which would generate, assuming we had a stable tax rate, \$1,300,000.00 just in the first year. Clearly, one can see that the residential combined development is the prudent thing to do from an assessment point of view because it generates the immediate dollars up front. We do not have to worry about waiting ten years down the road for the complete project.

Councilman Kunis asked with 414 units how many school age children would be in the units. Mr. Kelly said he did not have any demographics on it. Councilman Kunis said it costs approximately \$9,000.00 to educate a school age child and he did not hear anything mentioned about that. Mr. Kelly said basically what the situation is as we are adding residential units we are adding children to the school district, etc., and services, etc. He said he did not feel we would have to build a new school because of this development - neither Nanuet or East Ramapo. Mr. Kelly said most of this is in the East Ramapo School District with a small portion in the Nanuet School District. Councilman Kunis again asked how many school children would be involved and he was told approximately 180.

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Mr. Donald Tracy said we are here to present this proposal to the public, to let the public know what it is and to let the public see what it is. He said the public wants to be fair and the Town Board has observed that much work has been done. He said models which explain the project have been built and presented here tonight. The experts who spoke, who are hired and represent the applicant, are seeking to present to you what we say this project will be. He said there is a basis for everything that has been said. He said this project versus the project that could be built as presently zoned, is better from a traffic point of view; is better from a tax point of view; and is better for an aesthetic point of view. He went on to say that they feel it is totally consistent with the master plan of the Town of Clarkstown. He said we do not think that Clarkstown needs to become the warehouse capital of the world.

Mr. Tracy said they investigated and have determined that 414 residential units in this area will not cause a new school to be built either in Nanuet or in East Ramapo or at least so we have been informed by those school officials and that is in the DEIS. He said he did not think they are going to impact heavily on the drainage. He said they are going to give the surrounding area something that is more aesthetic than that which can be built by right in a LIO zone which starts off with new car dealerships. The property simply should not be LIO up there. There shouldn't be warehouses, new car dealerships, offices and the like in that area. That is a residential area.

Mr. Tracy said the Spring Valley Market Place still has some very critical improvements to make, one of which is the installation of another turning lane. The Tunnel By-Pass Road has yet to be constructed and completed which will create a whole different traffic pattern. This continuation of Smith Road, this extension boulevard which will be built through here, in our opinion and in the opinion of the County planners and our experts, will go a great deal toward reducing any present or future traffic jams in the area. Mr. Tracy said if you notice the way the project is laid out the commercial portion of the project will be fed from Route 59 and through that road. The residential portion should be fed the same way. The majority of residents will probably have origins and destinations from an area that will not adversely impact with additional traffic.

Mr. Tracy said if you are hear because you are against it - because you do not want it - don't want to see it - it's big - it's no good - then you are going to speak against it. However, he urged everyone to open up their minds and say we need these taxes; this is a class project; it has been shown to be a class project by the money that has gone into the presentation. Is this good for the developer? Yes, it is good for the developer. Quite frankly, what is good for the developer is also good for his neighbors.

Mr. Tracy said the give back for the Town will be 24 units on the market as starter homes for young or finishing homes for the old for under \$130,000.00. That will be in this project. They will be phased as they build. The amenities are there. As far as a County park there will be a jogging trail if it is wanted. There will be a park course in there for all County residents if it is wanted. This is an improvement. We ask you to look at it with an open mind.

Supervisor asked if any Town Board member had any questions? No one did.

Supervisor asked if there was anyone from the public who wished to ask a question or make a comment?

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Appearance: Alan Shapiro
1 Vailshire Circle
Nanuet, New York

Mr. Shapiro said one of the things not mentioned was Smith Road between Middletown Road and Vailshire Circle. What is going to be done for that? He discussed the traffic situation, accidents, no sidewalks, etc.

Appearance: Ms. Dorothy Tuzzilino
Nanuet, New York

Ms. Tuzzilino said she is an employee of the Nanuet School District, primarily the George W. Miller Elementary School. She said her concern is the elementary school children. She said any more children would be a disaster in the Miller School as there is no room. She asked how many elementary school children this would impact on?

Mr. Tracy said he has been informed by the Superintendent of the Nanuet Schools that they can adequately handle any increase of school children. Mr. Tracy said as part of the DEIS they will provide the statistics and the approval from the Superintendent of Schools of Nanuet regarding the portion of the property which is in the Nanuet School District indicating that they can adequately handle the school children. Supervisor asked if the numbers would be provided and Mr. Tracy answered in the affirmative.

Ms. Tuzzilino said she was satisfied with that.

Appearance: Mr. Peter Hardis
Briar Cliff Road
Spring Valley, New York

Mr. Hardis asked if there was going to be another public hearing on this? Supervisor said there will be a continuation of this hearing pending receipt of additional information which will be a part of the public record which will include recommendations from our Planning Board as well as any other information from residents who either wish to write or to appear in person at that continuation. At the conclusion of that continuation we will close the public hearing, if we have all the information from the various agencies involved, and then the Town Board will be in a position, keeping in mind certain statutory time, to make a decision. Information will be taken at this hearing and at the continued hearing.

Mr. Hardis said we must take into consideration that a lot of people are on vacation. People who have done the studies should not take heart at the low turnout of residents involved in the area because this is an awkward time of the year for a public hearing. Mr. Hardis mentioned the problem of Exit 10 on the Palisades Parkway. He said the new Tunnel By-Pass Road will not be the solution of the traffic problem. It is still just a country road and not a miracle cure. Kingsgate is not complete yet. The Spring Valley Market Place is a tremendous congregating area. Thruway Exit 14 was not mentioned. He felt the prudent thing to do is to see what is going to happen before we go ahead with this. There is too much riding on this. The Spring Valley Market Place and Kingsgate must be absorbed first. He asked what is going to happen on Clarkstown Road and the Tunnel By-Pass Road? He said this is not planning. He said the people in Montvale and Pearl River will take light industry over homes. They only had to build one exit off the Garden State Parkway to accommodate people coming to work and going home from work. We do not have an entrance or an exit yet. He suggested that everyone try to get on the Palisades Parkway some morning between 7:30 A.M. and 8:15 A.M. He said he would gladly take the 3,000,000 square feet of light industry rather than all the extra cars trying to get on the Parkway.

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Mr. Hardis said by the time these people would get here in the morning everyone would be at work and there would be no conflict between the people coming to LIO and the residents leaving the area to get to their work place. The opposite is true in the evening. We come home at 6:00 P.M. They are gone at 5:00 P.M. But if we have all those hundreds of additional cars travelling at the same time we have a big problem. Mr. Hardis urged the Board to come back to this after we see if everything can fit into place, not necessarily saying no. That is good planning.

Appearance: Anthony Zacharakis, Esq.
125 Oak Tree Road
Tappan, New York

Mr. Zacharakis stated that he represented Bihari Kennels on Smith Road. He said he would like to reserve any arguments or any comments or any testimony from the Biharis on their application until the next hearing because we do not have the benefit of everything and we do not have all the facts.

He asked the Town Board if they had an independent traffic study of the traffic impact on all the service roads and arterial roads leading in and out of this project? If so, is that report available to the public? Mr. Robert Geneslaw, Planning Consultant, stated that they had reviewed the traffic study prepared by the applicant. He said they have raised a number of questions about it, particularly with reference to going beyond the site. Some of the comments made tonight reflect that. He said they have had several meetings with the applicant's engineers to discuss that. He noted it was his understanding that they are going to provide additional information.

Mr. Zacharakis asked if that would be made public and aired at the next hearing on this proposal? Mr. Geneslaw said it would have to be available before the Board can act. Supervisor said it will be fully aired and made available to the public.

Mr. Zacharakis said that Mr. Beckman had indicated site improvements and building assessed at \$30,000,000.00 and land value at \$7,200,000.00. He said then you are representing to the Board to install those buildings and everything else it is going to be done for \$30.00 a square foot.

At this point the Town Clerk raised objection to the fact that an independent dialogue was going on in the audience and it was impossible for her to record that.

Supervisor asked that questions be directed to the Board and then on rebuttal they could be answered.

Mr. Zacharakis said that a \$30,000,000.00 valuation on 1,000,000 square feet of building and the intended site improvements is very, very cheap.

Supervisor said the question will be addressed.

Mr. Zacharakis said that Mr. Kelly had testified as to drainage. His indication was that the flow of surface waters from the entire site would go in two directions - one into the Pascack Watershed and one into the Nauraushaun Watershed. The question is has he made a watershed analysis as to the impact on any points of concentration of those surface waters and how it affects the various intensity storms that this Board should consider? What independent evaluation has been made by experts in the service of the Town and what is their response and reaction to those drainage flows at various strategic points of concentration? He said he understands that the Town still has problems with the Pascack and he did not know if the Nauraushaun has been complete. He was told that it has not. He asked what reports were available? When would they be aired? What is the impact at these points of concentration?

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Mr. Zacharakis said with regard to planning at the site that part of the testimony addressed the route passing the site owned by the Biharis (he pointed to a place on the map at this point) in the midst of the proposed residential area. He asked whether they were aware that the kennel has been there for upwards of sixty years? The possibility is that it could be there for several centuries and is the only kennel in the Town of Clarkstown and one of four servicing the entire County and the region which the County services. He asked what are their plans and how are they going to protect that continued use of that kennel?

Mr. Zacharakis said he would have further testimony from his clients at the continuation of this hearing next month.

Appearance: Mr. Larry Weinstein

Mr. Weinstein referred to the 24 units being offered to young people for under \$130,000.00. He referred to the map and asked where these under \$130,000.00 units would be located? Supervisor said that will be answered in rebuttal.

Appearance: Mr. Robert Koss

Mr. Koss spoke regarding the donation of property and said they are proposing to put in a running track on a watershed area which belongs to the County right now. Are you providing parking for people in the community to come and park their cars and go into the area? Are you supplying anything of your property to donate to the County for say a recreation area or school or anything else? Mr. Koss said he estimated there would be about 350 students added to the school system as you are talking about 350 two bedroom residences with maybe one child per unit.

Appearance: Mr. Bruce Cohen
277 Treetop Circle
Nanuet, New York

Mr. Cohen said when the concept of this plan was brought before you probably about a year ago he really hated it. He said after looking it over very carefully it is not a bad plan anymore. Unfortunately, the Tunnel By-Pass Road, when it is opened, will probably be overburned with cars because of the Market Place and that is a situation which is not under the Town's control. The Tunnel By-Pass Road was only planned to be two lanes. It is going to be carrying a lot more cars than it was planned for. With the addition of the road system that is going to be integrated into this plan he felt, at least for himself, that it was going to be easier to get where he wants to go with this road in place. He said he would be able to knock out about 4/5ths of the by-pass traffic and that is a considerable amount of time saving. He said there are a lot worse things that could be built across the road from where he lives. If this plan is really close to what they are actually going to be doing there will be a lot more trees and vegetation. He felt the units as presented look very good.

He said the area will be developed one way or another. This is a more preferable solution to what we will have across the road than what we could have across the road.

Appearance: Ms. Nancy Thomas
Alice Drive
Nanuet, New York

Ms. Thomas said Alice Drive goes into Middletown Road. On Saturday and Sunday, especially during the holding season, she cannot get out of her street onto Middletown Road. The LIO has been done very well in other counties. She said she was hoping they would do something like that here. She said Mr. Tracy's clients purchased this property knowing it was zoned LIO and PED hoping they

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might be able to get MF-2. She said another solution could possibly be R-22 zoning in the A1 or A2 section. (Here reference was made to the maps.) She mentioned that a neighbor, Mr. Merton, wanted to have 8 units in R-22 zoning, so that would conform if A1 were to go into R-22.

She said Mr. Beckman had made a statement about the tax impact. The tax impact would be approximately the same unless they built all of this at one shot in the first year which we know obviously they are not going to do. If this is developed over a period of time the tax abatement which they had mentioned back to the Town would not be as great an impact as it appeared to be.

She said the Spring Valley Market Place filters into here and she hoped they would take that into consideration.

Appearance: Mr. Alan Yassky

Mr. Yassky said he had come to protect a small vested interest of his own. He said he originally got involved with this property in 1970 but is no longer involved. This was all LIO back then. He said they did not invent anything. They plagiarized. They went to Westchester and saw Robert Martin's Executive Park in Elmsford. We were helped with the zoning. The Town Board took a ride over one morning and looked at what could be done. Murray Jacobson wrote up the PED zone. The concept here is not new or unique but is something that has been discussed for a long time. He said his vested interest, and here he pointed out four buildings on the map and said these were PED. He said he did not know what PED modified means, as he sees the application states. His assumption is that it is just modifying the original PED plan in shape of size and context but not in zoning. He said he would appreciate it if the Town Board kept in mind, whatever they do here, we certainly want to keep our vested rights as to the zoning we now have. He did not want to find that three or four years from now we go to do something and are told that our side yards, rear yards, parking, etc. was changed. Whatever you do we think that these units which were built in good faith and in good taste should remain in the zone they are in.

He said for the 15 years they ran the airport there wasn't a day that someone didn't ask when they were going to shut it down. Since it has been closed there hasn't been a day that someone hasn't complained about it being shut down.

Appearance: Mr. Bruce Broadley
West Nyack, New York

Mr. Broadley said, in Clarkstown zoning appears to be zoning in name only. Clarkstown is rapidly developing a reputation that says anybody who wants a zone change can get it. What is happening is that it sends a signal to the population. They think they can get away with anything. You can see that in the mass of single family homes being converted to two family homes illegally which occurs on every street in Clarkstown, especially with the famous bi-levels that are built in our Town and in our County. It lends itself to that sort of thing.

What we see here is that if you keep voting for a zone change you are voting to get rid of zoning. If you really mean that then let's get rid of the zoning. He said he could put 24 units on his acre and make some money. We could develop Dellwood Country Club in New City and put something nice up there. The thing is, if you have a plan and you are trying to do some good zoning and keep it that way and you are trying to put the right things in the right places, let's keep it that way. We know what kind of traffic is generated. These roads are ridiculously overcrowded now and are going to continue to be overcrowded. He referred to the map regarding traffic on the by-pass road. He said there would be another disaster which is now normal in Clarkstown.

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Mr. Broadley said the low income housing being proposed is very interesting but is also very hard to control and the Town is going to have to debate that.

Appearance: Mr. Joe Oberman
165 Tree Top Circle
Nanuet, New York

Mr. Oberman said what they have presented is very nice but he is not in the market. He discussed Smith Road and the traffic in the area. He made reference to the maps and the necessity for traffic lights if the plan goes through. He said the Homestead Act, as it stands now, was ruled unconstitutional and he did not know, when they were talking about taxes, if that was considered. He said if the unconstitutional portion stands then their figures are going to be cut considerably as to what impact the money coming into the Town will be.

Mr. Tracy spoke in rebuttal. He said the Town Board need not refer back to the Planning Board. The ordinance says they may. SEQRA says public comment should close statutorily ten days after the completion of the Public Hearing or thirty days after the acceptance of the DEIS which was accepted 45 days ago. He said he wondered if the Town Board really wants to continue the public hearing? Supervisor said it does. Mr. Tracy said then Mr. Jacobson, Town Attorney, will know the appropriate resolutions if that is the consensus of the Board.

Mr. Tracy said with regard to Mr. Shapiro's comments on the danger of Smith Road, our plan does straighten out Smith Road. There is a considerable straightening in that area (here he referred to maps). He said it may not be as straight as they would like it to be but it is a considerable improvement. We do not control Smith Road; it is a County Road. If sidewalks are required on that road he said he was sure they would be so informed by the County.

Mr. Tracy said with regard to the number of school children possibly entering into Nanuet elementary schools, he said he believed the answer was 15 children.

Mr. Tracy said with regard to Mr. Hardis' comments that this was another massive project, this is the same project and we have been at it for over a year. This goes to show to some extent the degree of planning and processing that takes place on these matters.

Mr. Tracy said with regard to Exit 10 of the Palisades and Exit 14 of the Thruway they have been asked to study those situations and those supplemental studies are being done.

Mr. Tracy said with regard to the gentleman's comments about the traffic going one way and LIO traffic going the other way in the morning he is being shortsighted and should realize that it is the people who are getting off who would keep him from getting on.

Mr. Tracy said with regard to Mr. Zacharakis' comments on taxes and drainage, this material is spelled out in detail in the DEIS. He said Mr. Zacharakis just has not had the opportunity to see it even though it has been in the Town Hall and other public places in excess of five months. He said he would provide Mr. Zacharakis with a copy of the DEIS after the public hearing so that he can look at the tax situation.

Mr. Tracy said answering the last speaker's question in conjunction with taxes we did not take into account Homestead when we commented on the taxes.

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Mr. Tracy said with regard to Mr. Weinstein's comments as to where the \$130,000.00 units would be. (Here he pointed to a place on the map.) He said with regard to how they could be kept affordable units the answer is that they are being made affordable to start with. The beneficiaries of those starter houses should be able to seek market prices. However, if the municipality wants to get involved in the covenant business or in the selection process of who gets those houses and wants to determine procedure for us to do that we certainly will abide by it.

Mr. Tracy said with regard to Mr. Shapiro's comments about giving land or giving money, we do have money-in-lieu-of-land in this Town. Every developer who doesn't provide recreational facilities for the residents he brings in, must give either money towards recreation at the price of \$2,000.00 a lot in Clarkstown and/or land. We are not really much different from any other place. The developers are made to give something.

Mr. Tracy said with regard to Mr. Broadley's comments he said had his position on zoning been correct, and that it should be as static as he thinks it should be, probably he (Mr. Broadley) would not be a resident here today. Zoning is flexible and moves with the times. This particular plan is consistent with the Master Plan. It is not a down zoning. It is an up zoning.

Mr. Tracy said with regard to the last speaker's comments we have basically answered the first part. There were improvements in the road. Yes, we are providing recreation facilities for the residents who live here. We feel that we are not going to be anything but compatible by virtue of this boulevard that is being built going into Treetops.

Mr. Tracy said there will basically be no need to utilize the portion of Smith Road in front of the Russian Convent once the Smith Road extension is provided through our property. We not only will not be creating a dangerous intersection here but we will probably be ameliorating the need to use that intersection and providing an intersection with signalization into the Tunnel By-Pass Road. He said he understood why people come in against it. They say there is nothing there now and that is how they would like it to stay. But it isn't going to stay there with nothing on it. He said they respectfully submit that they have put together a plan with a great deal of thought, a great deal of planning and a great deal of sense. It makes sense for us, because as zoned we would overload those roads. We believe some of the people in the area, as evidenced by the fact that, although this may be a bad time of the year as one person said, we sent out 78 letters to people to attend this meeting tonight and it is apparent that not that many people are opposed to it. We believe we can answer and in many respects, if they have their ears open, have answered the questions that people have put.

Mr. Tracy said if you don't like it and you don't want it there is nothing they can do about that. We can't say like it, want it. The question that this Board has to determine is, from an overall point of view and taxation is becoming a bigger and bigger element, is it good for the Town overall? Is it the final piece in the jigsaw puzzle that has been that corner of Town? Is it going to change drastically and resolve its traffic situations when the Market Place improvements are completed and the road that this Town Board worked so hard to accomplish, the Tunnel By-Pass Road, becomes effective? It remains to be seen. Our reports indicate that it will.

Supervisor asked Town Attorney what procedure should be followed now as he would like to continue the meeting on September 27, 1988. Mr. Tracy voiced objection to the continuation date. He said then the earliest possible date they could get approval would

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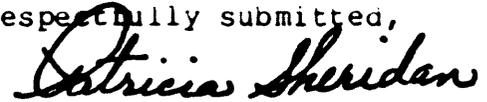
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take them into the winter and they would lose an entire building season. Supervisor said there would be no time to continue this at the meeting of the Town Board on September 15th. Supervisor said from a scheduling point of view we cannot have five or six big items on one agenda because we would run into a situation like we did tonight.

Mr. Tracy said there is not that much more to do but the Supervisor said other members of the public would like to be able to comment on this.

On motion of Councilwoman Smith, seconded by Councilman Carey and unanimously adopted, the Public Hearing was continued until September 27, 1988.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

8/16/88

11:17 P.M.

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

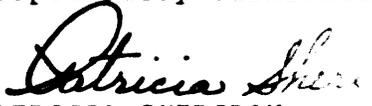
RE: Zone Change (Route 59 Corridor) Vicinity of Christian
Love Redeeming Church

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

Supervisor Holbrook said they would not take any testimony but would continue this hearing over until September 15, 1988.

On motion of Councilwoman Smith, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared continued until September 15, 1988, time: 11:19 P.M..

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk