

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/28/89

8:06 P.M.

Present: Supervisor Holbrook
Council Members Kunis, Maloney and Smith (arrived at
8:12 P.M.) Councilman Carey on vacation
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor stated that the first order of business this evening would be the presentation of an award to Allen Firstenberg, Eagle Scout of Troop No. 127. Supervisor stated that we had invited Allen to be present but since he is away at college his father would accept the award for him. Supervisor congratulated Allen on this important and unique achievement. He remarked on the rebirth of scouting that has taken place and said it is a very positive thing for our community.

Supervisor declared the Public Portion of the meeting open.

Appearance: William Gerard, Esq.

Mr. Gerard said he was representing Teplitz Auto Parts on the matter of towing and removal of abandoned vehicles (Agenda Item 19e) and he wanted to discuss changes in the proposed contract. Supervisor said he and Chief Collins have discussed the towing of vehicles off the streets. The Town Board members agreed to pull this item and discuss it at the April 4th Workshop.

Appearance: Mr. Teddy B. Dusanenko
5 Hickory Drive
New City, New York

Mr. Dusanenko asked why there was no listing of the meetings in Clarkstown in the Sunday Journal News? Town Clerk Patricia Sheridan stated that two copies of upcoming meetings are mailed to the Journal News every week. Mr. Dusanenko requested that the people at the newspaper be told about this.

Mr. Dusanenko requested that the Clarkstown Town Board meetings be televised and stated that he was going around with petitions for senior citizens to sign requesting that the televised meetings be resumed.

Mr. Dusanenko discussed with Mr. Les Bollman, Director of Environmental Control, the recycling of paper and the reasons why the Town is not receiving any money. Mr. Les Bollman, Director of Environmental Control stated that when Clarkstown paper comes in to the recycling center it is considered a mixed load because of the brown paper bags and for the last two months they have been paying nothing. He said we should consider ourselves fortunate because in Westchester they are paying \$20.00 a ton to have the paper taken away. Mr. Dusanenko said he was paid when he brought his paper and he did not see why the Town does not get paid also.

(Councilwoman Smith arrived at this point - 8:12 P.M.)

Appearance: Mrs. Rosemary Seery
Plitt Street
West Nyack, New York

Mrs. Seery spoke regarding Item 6 on the Agenda. She said she was in favor of the Town Attorney representing the Town on this (CPI v. Pyramid Co., et al) as we have incurred enough expense

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RESOLUTION NO. (266-1989) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an Extension Agreement with the County of Rockland for the Substance Abuse Services Program for an additional one year period from April 1, 1989 through March 31, 1990, for a total consideration of \$106,912.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (267-1989)

AUTHORIZING ATTENDANCE
SEMINAR ON SOLID WASTE
MANAGEMENT (BRICKWOOD) -
CHARGE TO APPROPRIATION
ACCCOUNT NO. A1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Gerald Brickwood, Deputy Director, Department of Environmental Control, is hereby authorized to attend a siminar on Solid Waste Management at the Holiday Inn Turf, Wolf Road, Albany, to be held on April 24 and 25, 1989, and be it

FURTHER RESOLVED, that all proper charges be charged against Appropriation Account #A1010-414.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (268-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #35-1989 - 40
CUBIC YARD ROLL OFF
CONTAINERS

Co. Maloney offered the following resolution:

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

BID #35-1989
40 CUBIC YARD ROLL OFF CONTAINERS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, April 24, 1989 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. (268-1989) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (269-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #27-1989 -
OFFICE FURNITURE

Co. Maloney offered the following resolution:

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

BID #27-1989
OFFICE FURNITURE

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, April
25, 1989 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (270-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #29-1989 -
SOFT DRINKS FOR TOWN SUMMER
REFRESHMENT STANDS

Co. Maloney offered the following resolution:

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

BID #29-1989
SOFT DRINKS FOR TOWN SUMMER
REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
April 26, 1989 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

RESOLUTION NO. (270-1989) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (271-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #30-1989 - ICE
CREAM FOR TOWN SUMMER
REFRESHMENT STANDS

Co. Maloney offered the following resolution:

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

BID #30-1989
ICE CREAM FOR TOWN SUMMER
REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:15 A.M. on Wednesday,
April 26, 1989 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (272-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #31-1989 -
FOOD PROVISIONS FOR TOWN
SUMMER REFRESHMENT STANDS

Co. Maloney offered the following resolution:

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

BID #31-1989
FOOD PROVISIONS FOR TOWN SUMMER
REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:30 A.M. on Wednesday,
April 26, 1989 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

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RESOLUTION NO. (272-1989) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (273-1989)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
AGAINST TOWN OF CLARKSTOWN
(CPI v. PYRAMID COMPANY OF
ROCKLAND, CLINTON SQUARE
PLAZA, INC., AND TOWN BOARD
OF CLARKSTOWN)

Co. Maloney offered the following resolution:

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

In the Matter of the Application of

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

Petitioners,

For a Judgment Pursuant to Article 78 of the Civil
Practice Law and Rules, annulling and setting aside the
change of zone for certain property in the Town of
Clarkstown in which Pyramid Company of Rockland and
Clinton Square Plaza, Inc. have an interest, and
annulling and setting aside all proceedings and
findings under the State Environmental Quality Review
Act,

-against-

PYRAMID COMPANY OF ROCKLAND, CLINTON SQUARE PLAZA,
INC., ANN MARIE SMITH, STEVEN KUNIS, JOHN MALONEY,
WILLIAM CAREY, Councilpersons of the Town of
Clarkstown, and CHARLES HOLBROOK, Supervisor of the
Town of Clarkstown, constituting THE TOWN BOARD OF THE
TOWN OF CLARKSTOWN, and THE TOWN BOARD OF THE TOWN OF
CLARKSTOWN,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (274-1989)

GERMONDS PARK IMPROVEMENT
PROJECT - CHANGE ORDER FOR
NEW RESTROOMS AND
CHEMIGATION SYSTEM - CHARGE
TO CAPITAL FUND ACCOUNT A
7140-03-409

Supv. Holbrook offered the following resolution:

WHEREAS, Town Board Resolution No. 779, dated August 16, 1989, in the amount of \$2,326,846.00, and

WHEREAS, it is in the best interests of the Town of Clarkstown to complete the new restrooms and chemigation system at a cost not to exceed \$75,000.00,

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 on behalf of the Town of Clarkstown regarding the General Construcion, Plumbing and Electrical Contracts for the Germonds Park Improvement Project, total project not to exceed \$2,401,846.00 to be allocated against Capital Fund Account H 7140-03-409 and that \$75,000.00 be transferred from the Money-in-Lieu-of-Land Account to Capital Fund Account H-7140-03-409 for the above purposes.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (275-1989)

AUTHORIZING SETTLEMENT OF
TAX CERTIORARI
(MANUFACTURERS HANOVER
TRUST COMPANY - MAP 58,
BLOCK G, LOT 38)

Co. Maloney offered the following resolution:

WHEREAS, tax certiorari proceedings were commenced in the Supreme Court of the State of New York, County of Rockland entitled MANUFACTURERS HANOVER TRUST COMPANY, Index Nos. 4942/84, 6227/85, 5538/86, 5792/87 and 3866/88 affecting a certain parcel designated on the Clarkstown Tax Map as Map 58, Block G, Lot 38, and

WHEREAS, the attorney for the petitioner has proposed to settle the proceedings and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1984/85 from \$196,300 to \$111,300;
2. That the proceedings commenced by the petitioner for the years 1985/86, 1986/87, 1987/88 and 1988/89 be discontinued.
3. 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, and

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid,

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RESOLUTION NO. (275-1989) Continued

and such settlement is recommended by the Assessor of the Town of Clarkstown.

NOW, THEREFORE, be it resolved that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (276-1989)

AUTHORIZING REDUCTION IN
AMOUNT OF PERFORMANCE
AGREEMENT (WEST SLOPE
SUBDIVISION)

Co. Maloney offered the following resolution:

WHEREAS, a Letter of Credit in the sum of \$78,000 was furnished to the Town of Clarkstown to secure the construction of the public improvements in connection with a subdivision entitled WEST SLOPE SUBDIVISION, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that the aforesaid amount be reduced to \$13,000 as considerable work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that the amount of the security required may be reduced to \$13,000, subject to receipt of an amended Letter of Credit in said amount and which is to be automatically renewable.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

RESOLUTION NO. (277-1989)

AMENDING RESTRICTIVE
COVENANT MADE BY OMNI COURT
LTD. FOR OMNI COURT
CONDOMINIUMS

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 9th day of February, 1988, provided for a public hearing on the 23rd day of February, 1988, at 8:15 P.M., to consider amending the Restrictive Covenants dated October 29, 1981, made by OMNI COURT LTD., filed in the Rockland County

Continued on Next Page

RESOLUTION NO. (277-1989) Continued

Clerk's Office on November 4, 1981, in Liber 1065 at Page 411, in connection with the zone change granted and which affects premises described in Schedule "A" which was rezoned from a PO District to an RG-1 District, which said covenant contained the following provisions, among others, as follows:

"C. Provide, create and maintain a 50 foot buffer area along the entire westerly property line of the subject premises, said buffer to remain as an undisturbed area containing no permanent fixtures or encroachments of any kind and further along the westerly property line of the subject premises, an additional 15 foot building set-back, said 15 foot being measured from the easterly line of the 50 foot buffer area and a further planting of evergreens between the 15 foot set-back and the easterly line of the 50 foot buffer area, said planting of evergreens to be on top of a berm of at least three feet in height.

D. Provide, create and maintain a 50 foot buffer area only along the southerly property line of the subject premises abutting the residentially zoned parcels, said buffer to remain as an undisturbed area containing no permanent fixtures or encroachments of any kind and further along said southerly property line an additional 15 foot building set-back, said 15 foot being measured from the northerly line of the 50 foot buffer area, said planting of evergreens to be on top of a berm of at least three feet in height," and

WHEREAS, Omni Court Ltd., has requested the Town Board of the Town of Clarkstown to modify the covenants stated above to read as follows:

"C. Provide, create and maintain a fifty (50) foot buffer area along the entire westerly property line, said buffer area to contain no permanent fixtures or encroachments of any kind.

D. Provide, create and maintain a fifty (50) foot buffer area along the southerly property line adjoining residentially zoned parcels, said buffer area to contain no permanent fixtures or encroachments of any kind," and

WHEREAS, notice of a 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, and

WHEREAS, Omni Court Homeowners' Association requested a waiver for the requirement of installing an earthen berm for the Omni Court Condominiums, and replace it with an amended planting plan, and

WHEREAS, the amended planting plan was submitted, reviewed and approved by the Shade Tree Commission;

NOW, THEREFORE, be it

RESOLVED, that the above described Restrictive Covenant dated October 28, 1981, made by Omni Court Ltd., is hereby modified so as to permit the requested changes, and subject to approval by the Planning Board of the Town of Clarkstown to modification of Map Notes "P" and "U" on the approved site plan for Omni Court as as to conform to the within amendment to the Declaration of Restrictive Covenant, and be it

FURTHER RESOLVED, that an amended Restrictive Covenant in a form approved by the Town Attorney is hereby directed to be filed in the Rockland County Clerk's Office.

Seconded by Co. Kunis

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On roll call the vote was as follows:

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

RESOLUTION NO. (278-1989)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
DR. EVELYN WASSERMANN FOR
PSYCHIATRIC CONSULTING
SERVICES FOR CLARKSTOWN
COUNSELING CENTER - CHARGE
TO ACCOUNT NO. A 4210-409

Co. Maloney offered the following resolution:

WHEREAS, the Clarkstown Counseling Center, through its Director, Ellen Cohen, has expressed the need to have a medical doctor, as a part-time psychiatric consultant to the Clarkstown Counseling Center, and

WHEREAS, the present psychiatric consultant to the Clarkstown Counseling Center, Dr. Larry C. Lawrence, has submitted his resignation on March 20, 1989, which will become effective March 31, 1989, and

WHEREAS, it is in the best interest of the Town of Clarkstown to formalize an agreement for said services;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement with Dr. Evelyn Wassermann to provide medical services as a psychiatric consultant to the Clarkstown Counseling Center, said agreement to be in a form acceptable to the Town Attorney, and be it

FURTHER RESOLVED, that said agreement shall provide for the following:

1) Compensation shall be paid at the rate of \$60.00 per hour for a maximum of 10 hours per month and said fee shall be charged to Account No. A-4210-409;

2) That Dr. Wassermann shall in all respects cooperate with the Town of Clarkstown in seeking reimbursement from the Division of Substance Abuse Services for said consulting services, and

3) The agreement may be terminated on thirty (30) days written notice by the Town of Clarkstown.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (279-1989)

GRANTING PERMISSION TO
CLARKSTOWN PARKS BOARD AND
RECREATION COMMISSION TO

RESOLUTION NO. (279-1989) Continued

DISPENSE ALCOHOLIC
BEVERAGES AT ANNUAL SENIOR
CITIZEN SHOW CAST PARTY AND
ANNUAL SENIOR CITIZEN PICNIC

Co. Maloney offered the following resolution:

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show
Cast Party
April 29, 1989
Congers Community Center
Gilchrest Road
Congers, New York

Annual Senior Citizen Picnic
June 7, 1989 (Raindate:
June 8th)
Congers Lake Memorial Park
Gilchrest Road
Congers, New York

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (280-1989)

AUTHORIZING ALLOCATION OF
FUNDS TO THE VIETMAN
VETERANS OF AMERICA -
CHARGE TO ACCOUNT NO. A-6510

Co. Maloney offered the following resolution:

WHEREAS, the Vietnam Veterans of America, Chapter 333, have requested monetary assistance from the Town for its organization, to defray rent costs, provide funds for parades, memorial services and other activities;

NOW, THEREFORE, be it

FURTHER RESOLVED, that the Town Board hereby authorizes the allocation of \$750.00 (\$500 for leasing or rental and maintenance of meeting facility - \$250 for patriotic observances), and be it

FURTHER RESOLVED, that said funds will be charged against the Veterans Service Budget, Account No. A-6510.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (283-1989)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE PROCEEDING
AGAINST HUTTON-JOHNSON AND
RUSCO OF ROCKLAND, INC.

Co. Maloney 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 with respect to violations against Hutton-Johnson and Rusco of Rockland, Inc.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (284-1989)

MEMORIALIZING GOVERNOR OF
STATE OF NEW YORK RE
RECONSIDERATION OF PROPOSED
REDUCTIONS IN STATE BUDGET
FOR CLARKSTOWN FOR YEARS
1989-1990 FOR YOUTH
DEVELOPMENT SERVICES

Co. Maloney offered the following resolution:

WHEREAS, the Governor of the State of New York has proposed a reduction in the State Budget for the Division of Youth for 1989-1990, and

WHEREAS, the Town of Clarkstown's allotted portion of State funds will be reduced by 8.8%, thereby losing \$1,760.00 for the Youth Court Program, and

WHEREAS, the State's proposal for the 1990 Budget is to repeal Section 420 of the Executive Law, thereby eliminating eligibility to all local municipalities at the end of 1989. The Town of Clarkstown would lose \$39,063.00 for recreation and \$35,022.00 for youth services;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes the Governor of the State of New York to reconsider the proposed reductions in the State Budget for the Town of Clarkstown for the years 1989-1990 regarding Youth Development services, and the proposed repeal of Section 420 of the Executive Law.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (285-1989)

AMENDING RESOLUTION NO.
235-1989 WITH RESPECT TO

RESOLUTION NO. (285-1989)

MAZEL KARKAH CORP. REQUEST
TO PURCHASE TOWN PROPERTY

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 235-1989 is hereby amended to change the designation referred to regarding Town property from Map 123, Block G, Lot 20 to Map 123, Block G, Lot 21.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (286-1989)

AWARDING BID FOR BID
#20-1989 - FIREWORKS
DISPLAY (ZABELLI
INTERNATIONALE)

Co. Maloney offered the following resolution:

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

BID #20-1989
FIREWORKS DISPLAY

is hereby awarded to

ZABELLI INTERNATIONALE
FIREWORKS MANUFACTURING COMPANY, INC.
P.O. Box 1463
20 S. MERCER STREET
NEW CASTLE, PA. 16103

as per their low bid proposal of \$5,980.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (287-1989)

AWARDING BID FOR BID
#24-1989 - MAINTENANCE AND
IMPROVEMENTS TO TOWN
CUL-DE-SACS (PINEBROOK
LANDSCAPING AND PAVING CO.,
INC.)

Co. Maloney offered the following resolution:

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

BID #24-1989
MAINTENANCE AND IMPROVEMENTS TO
TOWN CUL-DE-SACS

RESOLUTION NO. (287-1989) Continued

is hereby awarded to

PINEBROOK LANDSCAPING AND PAVING CO., INC.
49 Rolling Ridge Road
New City, New York 10956

as per the low bid proposal of \$22,075.00, and be it

FURTHER RESOLVED, that said award is subject to the receipt of a Certificate of Liability Insurance, and Worker's Compensation Insurance as stated in bid specifications.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (288-1989)

AWARDING BID FOR BID
#23-1989 - REPLACEMENT OF
ROOFS AT GERMONDS PARK
(KALENA CONSTRUCTION CORP.)

Co. Maloney offered the following resolution:

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

BID #23-1989
REPLACEMENT OF ROOFS AT GERMONDS PARK

is hereby awarded to

KALENA CONSTRUCTION CORP.
7 Hillside Drive
New City, New York 10956

as per the low bid proposal of \$11,700.00, and be it

FURTHER RESOLVED, that said award is subject to the receipt of:

- A) Performance Bond
- B) Labor & Materials Payment Bond
- C) Certificate of Liability and Workers Compensation Insurance Coverage

All above as detailed in the bid specifications.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (289-1989)

AWARDING BID FOR BID
#22-1989 - CONCRETE CURBS
ON LENOX AVENUE, CONGERS
(PINEBROOK LANDSCAPING
COMPANY, INC.)

Co. Maloney offered the following resolution:

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

BID #22-1989
CONCRETE CURBS ON LENOX AVENUE
CONGERS, NEW YORK

is hereby awarded to:

PINEBROOK LANDSCAPING COMPANY, INC.
49 Rolling Ridge Road
New City, New York

as per their low bid proposal of \$8.50/linear foot for labor and
equipment only; and be it

FURTHER RESOLVED, that the Town of Clarkstown will
furnish the necessary concrete from RAI A Industries, Inc. for the
County of Rockland bid price of \$59/cubic yard; and be it

FURTHER RESOLVED, as a condition of an award of this
project, and PRIOR to the start of any work, successful contractor
shall present the following to the Director of Purchasing:

a) Certificate of Public Liability, Bodily Injury and
Property Damage as well as Automobile Liability and Worker's
Compensation Insurance Coverages. Shall be in the amounts of
\$500,000.00 - \$1,000,000.00 protection. The Town of Clarkstown
shall be named as a co-insured on this policy.

b) Save Harmless Agreement;

and be it

FURTHER RESOLVED, that the total cost for the concrete
curbing shall not exceed \$19,115.00 and shall be a proper charge of
the Lenox Avenue Road Improvement.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (290-1989)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL FIRE
LANE DESIGNATIONS AT LAKE
ROAD PARKING LOT, VALLEY
COTTAGE, NEW YORK (MAP 108,
BLOCK A, LOT 1.1)

Co. Smith 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 designated as Chapter 102 Sec.
14, of the Code of the Town of Clarkstown, at

Continued on Next Page

RESOLUTION NO. (290-1989) Continued

Town of Clarkstown 108-A-1.1
Lake Road (Parking Lot)
Valley Cottage, New York 10989

by the installation of fire lane designations, and

WHEREAS, the Clarkstown Town Board, 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 Safty Advisory Board of the Town of Clarkstown.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (291-1989)

AUTHORIZING ATTENDANCE AT
INTRODUCTION TO PC AND DOS
COURSE - MICROTREK
(DRESCHER AND ROTHERMEL -
HIGHWAY DEPARTMENT) -
APPROPRIATION ACCOUNT A
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Anthony D'Antoni, Superintendent of Highways, George Drescher, Highway Maintenance Supervisor II, and Harriet Rothermel, Service Dispatcher, are hereby authorized to attend the Introduction to PC and DOS course conducted by MicroTrek, 518 Fifth Avenue, New York, New York, on Tuesday, April 25, 1989, and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account A 1010-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (292-1989)

AUTHORIZING ATTENDANCE AT
MICROSOFT WORD INTRODUCTION
COURSE - MICROTREK
(D'ANTONI AND WALSH -

RESOLUTION NO. (292-1989)

HIGHWAY DEPARTMENT) -
CHARGE TO APPROPRIATION
ACCOUNT NO. 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of Anthony D'Antoni, Superintendent of Highways, Josephine Walsh, Senior Stenographer, is hereby authorized to attend the MicroSoft Word Introduction course conducted by MicroTrek, 518 Fifth Avenue, New York, New York, on Monday, April 17, 1989, and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account A 1010-414.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (293-1989)

AUTHORIZING ATTENDANCE AT
INTRODUCTION TO PC AND DOS
COURSE - MICROTREK (BETZ -
HIGHWAY DEPARTMENT) -
CHARGE TO APPROPRIATION
ACCOUNT A 1010-414

Co. Smith offered the following resolution:

RESOLVED, that based upon the recommendation of Anthony D'Antoni, Superintendent of Highways, Patricia A. Betz, Utility Services Coordinator, is hereby authorized to attend the Introduction to PC and DOS course conducted by MicroTrek, 518 Fifth Avenue, New York, New York, on Tuesday, April 25, 1989, and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account A 1010-414.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (294-1989)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF POLICE
SERGEANT - POLICE
DEPARTMENT (WILLIAM
JOHNSTONE)

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeant #85143A which contains the name of William Johnstone,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (294-1989) Continued

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of William Johnstone, 51 Elmwood Drive, New City, New York, as Police Sergeant - Police Department - at the current 1989 annual salary of \$53,877.00, effective and retroactive to March 17, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (295-1989)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF
(CONTINGENT PERMANENT)
POLICE SERGEANT - POLICE
DEPARTMENT (TIMOTHY O'NEILL)

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Sergeatn #85143A which contains the name of Timothy O'Neill,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Timothy O'Neill, 21 Jackson Drive, Stony Point, New York, as a (contingent permanent) Police Sergeant - Police Department - at the current 1989 annual salary of \$52,527.00, effective and retroactive to March 20, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (296-1989)

ACCEPTING RESIGNATION OF
SECRETARY (PART-TIME)
POLICE COMMISSION (IRENE
LOTITO)

Co. Smith offered the following resolution:

RESOLVED, that the resignation of Irene Lotito, P.O. Box 186, New City, New York - Secretary (part-time) Police Commission - is hereby accepted - effective April 1, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (297-1989)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION OF
(PROVISIONAL) PAYROLL CLERK
& DATA ENTRY TERMINAL
OPERATOR) - POLICE
DEPARTMENT (HELEN OSBORNE)

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the
appointment by the Police Commission of Helen Osborne, 7 Pine
Street, Central Nyack, New York, as a (provisional) Payroll Clerk &
Data Entry Terminal Operator - Police Department - at the 1989
annual salary of \$20,252.00, effective and retroactive to March 13,
1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (298-1989)

GRANTING EXTENSION OF SICK
LEAVE OF ABSENCE AT ONE
HALF PAY TO CUSTODIAL
WORKER - MAINTENANCE
DEPARTMENT (RAYMOND
DeFOREST, III)

Co. Smith 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., Raymond DeForest, III 22
Old Brick Road, New City, New York - Custodial Worker - Maintenance
Department - is hereby granted an extensionn of his Sick Leave of
Absence - at one half pay - effective and retroactive to March 23,
1989 to April 23, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (299-1989)

APPOINTING TO POSITION OF
(TEMPORARY) CUSTODIAL
WORKER (PART-TIME) -
MAINTENANCE DEPARTMENT (TO
COVER LEAVE OF ABSENCE OF
RAYMOND DeFOREST, III)
(FRANK DeLIBERTIS)

Co. Smith offered the following resolution:

RESOLVED, that Frank DeLibertis, 5 Oldfield Drive, New
City, New York, is hereby appointed to the position of (temporary)
Custodial Worker (part-time) - Maintenance Department (to cover the
leave of absence of Raymond DeForest, III) - at the current 1989

RESOLUTION NO. (299-1989) Continued

hourly rate of \$7.00 effective and retroactive to March 21, 1989 - for a period not to exceed (3) months.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (300-1989)

CREATING POSITION OF
LANDFILL EQUIPMENT SERVICER
(IN LIEU OF AUTOMOTIVE
MECHANIC I) - SANITARY
LANDFILL - GRADE 22

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 2, 1989 that the position of Landfill Equipment Servicer - Sanitary Landfill - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Landfill Equipment Servicer - Sanitary Landfill - is hereby created (in lieu of the Automotive Mechanic I Position in the Sanitary Landfill) effective March 29, 1989, and be it

FURTHER RESOLVED, that the Grade for the position of Landfill Equipment Servicer is hereby established at a Grade 22.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (301-1989)

REAPPOINTING TO POSITION OF
MEMBER - TRAFFIC AND
TRAFFIC FIRE SAFETY
ADVISORY BOARD (SHEILA
DEUTSCH)

Co. Smith offered the following resolution:

RESOLVED, that Sheila Deutsch, 9 Pelham Avenue, Nanuet, New York, is hereby reappointed to the position of Member - Traffic and Traffic Fire Safety Advisory Board - at the current 1989 annual salary of \$1,210.00, term effective April 1, 1989 and to expire on March 31, 1994.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (302-1989)

REAPPOINTING TO POSITION OF
CHAIRMAN AND ADULT RESIDENT
MEMBER - YOUTH COMMISSION
(THOMAS MANNING)

Co. Smith offered the following resolution:

RESOLVED, that Thomas Manning, 18 Esther Avenue,
Congers, New York, is hereby reappointed to the position of Chairman
and Adult Resident Member - Youth Commission - at the current 1989
annual salary of \$1.00 - term effective April 13, 1989 and to expire
on April 12, 1992.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (303-1989)

REAPPOINTING TO POSITION OF
MEMBER - CONSUMER AFFAIRS
COMMISSION (IRENE SACCEDE)

Co. Smith offered the following resolution:

RESOLVED, that Irene Saccende, 11 Windmill Lane, New
City, New York, is hereby reappointed to the position of Member -
Consumer Affairs Commission - to serve without compensation - term
effective April 5, 1989 and to expire on April 4, 1992.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (304-1989)

ACCEPTING RESIGNATION OF
ACCOUNT CLERK -
COMPTROLLER'S OFFICE
(SHARON SARINGO)

Co. Smith offered the following resolution:

RESOLVED, that the resignation of Sharon Saringo, 163
Brewery Road, New City, New York, Account Clerk - Comptroller's
Office - is hereby accepted - effective and retroactive to March 10,
1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (305-1989)

APPOINTING TO POSITION OF
(TEMPORARY) CLERK -
ASSESSOR'S OFFICE (MARGARET
WHELAN)

Co. Smith offered the following resolution:

RESOLVED, that Margaret Whelan, 6 Acorn Terrace, New City, New York, is hereby appointed tdo the position of (temporary) Clerk - Assessor's Office - at the current 1989 annual salary of \$14,712.00, effective and retroactive to March 27, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (306-1989)

RETITLING SENIOR TYPIST
POSITION TO SENIOR CLERK
TYPIST

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified by letter, dated March 13, 1989, that all Senior Typist positions shall be retitled to Senior Clerk Typist,

NOW, THEREFORE, be it

RESOLVED, that all Senior Typist positions are hereby retitled to Senior Clerk Typist, effective and retroactive to March 13, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (307-1989)

APPOINTING TO POSITION OF
CLERK TYPIST (PART-TIME) -
HIGHWAY DEPARTMENT (MARCI
DeFILLIPPO)

Co. Smith offered the following resolution:

RESOLVED, that Marci DeFillippo, 48 Foxwood Road, West Nyack, New York, is hereby appointed to the position of Clerk Typist (part-time) - Highway Department - at the current 1989 hourly rate of \$6.00 - effective March 29, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (308-1989)

AMENDING RESOLUTION NO.
234-1989 RE ESTABLISHMENT
OF JOINT COMMITTEE TO STUDY
GOVERNMENTAL SPACE NEEDS IN
NEW CITY

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. 234-1989 is hereby amended to add the following persons to serve on the Joint Committee to Study Governmental Space Needs in New City:

- Bernard R. Fallon, Deputy County Executive
- William Chase, Commissioner of Planning
- Harriet Cornell, County Legislator

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (309-1989)

TOWN BOARD, CLARKSTOWN
POLICE CHIEF, CLARKSTOWN
PATROLMEN'S BENEVOLENT
ASSOCIATION REQUEST UNITED
STATES ATTORNEY TO EXERCISE
POWERS OF THAT OFFICE FOR
INVESTIGATION OF
ALLEGATIONS OF POLICE
BRUTALITY

Co. Maloney offered the following resolution:

WHEREAS, the March 6, 1989 arrests of Daniel and Stewart England, and the subsequent allegations of police brutality have developed into a highly controversial and political event, and

WHEREAS, these arrests have been the crux of extremely prejudicial and accusatory comments and statements by all parties involved, and

WHEREAS, this event, and these comments and statements, have received extensive local and Statewide medial coverage, thereby tainting any otherwise objective opinions and positions, and

WHEREAS, said media coverage, local proliferation of the event, and seemingly biased prosecutorial statements can only result in a subjective and prejudicial Grand Jury presentment of these allegations,

NOW, THEREFORE, let it be

RESOLVED, that the Town of Clarkstown Town Board, with the concurrence of the Clarkstown Police Chief and the Clarkstown Patrolmen's Benevolent Association heretofore request that the United States Attorney exercise the powers of that office, pursuant to Title 18 of the United States Code, section 242, and Title 42 of the United States Code, section 1987, and immediately begin an investigation, by special Grand Jury or other lawful means, into the allegations of police brutality for the purpose of obtaining a fair and impartial determination of the rights and liabilities of all parties involved herein.

Seconded by Co. Smith

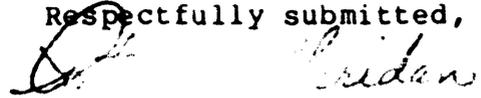
RESOLUTION NO. (309-1989) Continued

On roll call the vote was as follows:

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

Mr. Geneslaw, Planning Consultant, requested, on behalf of the Planning Board, that they adjourn the public hearing re: Floor Area Ratio to the May 9th meeting. On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the resumption of the public hearing re: Amending the Zoning Ordinance Floor Area Ratio - was adjourned to the Town Board Meeting of May 9th.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk