

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

4/11/89

8:05 P.M.

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

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

Supervisor stated that the first order of business this evening would be the presentation of awards to Eagle Scouts Mark Cooperman of Troop 100 and Paul Whitten of Troop 146. Supervisor extended the best wishes of the entire Town Board and the residents of Clarkstown to these two gentlemen upon achieving this distinguished rank in scouting and stated that the Town was very proud of them.

Supervisor turned the proceedings over to Councilman John Maloney for presentation of grants. Councilman Maloney stated that the Drug Abuse Prevention Council was founded in the Town of Clarkstown in 1973 and has been in the forefront since that time in trying to educate people in the Town of Clarkstown about the evils of drug and alcoholic abuse. He stated that over the past two years we have been making grants to various organizations who have devised worthwhile and imaginative programs in the schools, through PTA groups, etc., to bring to people's attention the terrible scourge of drug and alcoholic abuse. He called upon the Chairman of the Drug Abuse Prevention Council, Judge William Kelly, to make a statement.

Judge Kelly thanked the Town Board members for providing the funding so that awards can be made to the people who take the time and trouble to put programs in the elementary schools so that we can fulfill our mandate about educating people in trying to prevent drug abuse. Councilman Maloney then made the presentations to the various groups involved.

Councilman Maloney thanked all the participants and the Town Board for allocating these sums of money which has been done every year for the past three years.

Judge Kelly said there are many other grant applications pending. He wanted to acknowledge the fact that Mr. Peter Steckler, one of the board members, is here tonight. Several of the other members would like to have been here but had previous commitments. He again thanked the Town Board.

Councilman Maloney asked everyone to watch the newspapers because all the activities of these various organizations will be published. It will be beneficial to everyone to try to stop in and see what is going on.

Supervisor declared the public portion of the meeting open.

Appearance: Ms. Sheila Deutsch  
Member of Traffic Advisory Board

Ms. Deutsch stated that the Traffic Advisory Board has been very concerned about the fact that the Board is considering putting a traffic light on Church and College Avenues, Nanuet. She discussed in detail the problems that will have to be faced if this is done. She asked the Board to allow the Traffic Advisory Board to make a further in-depth study of this before it is installed. They would like to monitor the traffic and see if this is really necessary. She said they were concerned about the school buses coming down that hill and not being able to stop. It is a dangerous intersection but there are things that have to be discussed. There are alternatives and we are asking for more time to do a more complete study.

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Supervisor Holbrook said they would be forwarding to Mr. Peachy all the information from the school district and the Town Board will be giving the Traffic and Traffic Fire Safety Advisory Board the additional time they have requested.

Appearance: Mr. Jack Cuff  
West Nyack

Mr. Cuff said he had received a letter and some photos from a member of the Organized Taxpayers in regard to the Town Garage. He said it appears that the operation has turned into a private junkyard. He said if the Town is insisting on everything being prim and proper that we must practice what we preach. He said privately owned cars are being stored at the Town Garage and from the looks of the pictures it is very poor housekeeping and creates a very unsafe work environment. Mr. Cuff said it would seem that someone is setting up a private enterprise type junkyard. He urged the liaison to the Town Garage or other Town Board Members to go down and take a look at this.

Appearance: Mr. Steve Goldman,  
Organized Taxpayers  
West Nyack, New York

Mr. Goldman said he had heard that if you want your trash picked up at the end of the month you are to call the Highway Department for an appointment and they will come and pick up the trash. Supervisor said this month was storm cleanup for brush and yard debris. There is no bulk pickup this month.

Mr. Goldman spoke with regard to Item No. 7 (Southern Clarkstown Civic Association v. Town of Clarkstown). He objected to the Supervisor voicing his personal opinion because we (Town of Clarkstown) have to defend ourselves in the lawsuit. Supervisor said that he would have to say for the record that he voted to defend the lawsuit.

Appearance: Mr. John Lodico  
2 Birch Lane  
New City, New York 10956

Mr. Lodico spoke regarding the Landfill and the covering materials to be used. He discussed the Hackensack River in the area where the Thruway crosses it and the silt infiltration caused by the Thruway Authority. He urged the removal of this silt and dirt as part of the restructuring of our streams. The material to be dredged should be brought to our Landfill so that we would have that much more cover for our daily operation.

Mr. Lodico discussed our Landfill at length and stated that it is one of the better ones with regard to the operational facilities. He said the Town should not consider accepting a Consent Order and should litigate this situation. We should see whether or not the Town of Clarkstown has been singled out of all the landfills in the State of New York. The DEC and State representatives should prove that they are not finding us any different than the other landfills in the State and they are using a different yardstick in measuring the potential hazards if there are any in our water. The City of New York has been under order for almost 20 years and they have not closed down the City of New York. Islip, Long Island had a similar situation and they have been allowed to cover over another watershed area. The Town should consider that aspect.

Mr. Lodico said the 40+ acres to the south of our operation, assuming that there is nothing wrong with the rest of our Landfill, should be made accessible for the creation of a commercial and demolition landfill. He suggested that we go as far as the Supreme Court in our litigation and hire an attorney who is qualified in the area of landfills because the cost would not be as detrimental to the Town as the closing of the Landfill.

Appearance: Ms. Rosemary Seery  
15 Flitt Street  
West Nyack, New York

Ms. Seery said if people spent a little time looking at the DEC records, as well as Rockland County Health Department records, on the Clarkstown Landfill they would see that our Landfill deserves exactly what it is getting and that is to be closed. She objected to a commercial and demolition site on the 40 acres adjacent to the Landfill. She felt it was ridiculous to even consider a park or such in that area.

She spoke regarding proposed Item #10 (dumping unbaled solid waste from the Town of Ramapo into the Clarkstown Landfill) and said it was a good idea for all the towns and villages to get together but we must insist that they share the burden and Clarkstown not end up, once the Landfill is closed, as the recycling and transfer station for the entire county. If the leaders of the County can get together and cooperate then it shows the residents that they should be doing the same.

She spoke regarding Item #13 (Setting Public Hearing to Conduct Landfill Operation - 303-9W Co.) and objected to granting this special permit as the man in charge had absolutely no plans to present to the Planning Board as to what he wants to do with this property. She felt the Town Board and the people in the audience should know that we would not just make special permits to accommodate people who just happen to have some fill they want dumped. In view of the fact that the Town will probably allow a special permit for some of the carters so that they can have recycling facilities on their particular pieces of property, if you allow someone like this, who has an empty piece of property and no plans for it, he may very well in the future come back for a special permit to start a recycling center or transfer center, etc. We just don't know what he is apt to do with it.

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RESOLUTION NO. (310-1989)

ACCEPTING MINUTES OF TOWN  
BOARD MEETINGS OF FEBRUARY  
14TH, MARCH 14TH AND MARCH  
28TH, 1989

Co. Kunis offered the following resolution:

RESOLVED, that the minutes of the Town Board Meetings of February 14, March 14 and March 28, 1989 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (311-1989)

APPROPRIATING FUNDS TO THE  
ROCKLAND COUNTY VETERANS OF  
FOREIGN WARS, POST 126 -  
CHARGE TO ACCOUNT NO. A  
6510-401

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Veterans of Foreign Wars, Post 126, has requested monetary assistance from the Town for its

Continued on Next Page

RESOLUTION NO. (311-1989) Continued

organization, to defray rent costs, provide funds for parades, memorial services and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 to the Rockland County Veterans of Foreign Wars, Post 126, (\$500 for leasing or rental and maintenance of meeting facility - \$250 for patriotic observances), and be it

FURTHER RESOLVED, that claims for such sum shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 1989 Account No. A 6510-401.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (312-1989)

APPROPRIATING FUNDS TO THE  
ROCKLAND COUNTY VETERANS OF  
FOREIGN WARS, POST 851 -  
CHARGE TO ACCOUNT NO. A  
6510-401

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Veterans of Foreign Wars, Post 851, 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

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 to the Rockland County Veterans of Foreign Wars, Post 851, (\$500 for leasing or rental and maintenance of meeting facility - \$250 for patriotic observances), and be it

FURTHER RESOLVED, that claims for such sum shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 1989 Account No. A 6550-401.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (313-1989)

APPROPRIATING FUNDS TO THE  
JEWISH WAR VETERANS OF THE  
U.S.A., POST NO. 720 -  
CHARGE TO ACCOUNT A 6510-401

Co. Maloney offered the following resolution:

WHEREAS, the Jewish War Veterans of the U.S.A., Post No. 720, 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

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 to the Jewish War Veterans of the U.S.A., Post No. 720, (\$500 for leasing or rental and maintenance of meeting facility - \$250 for patriotic observances), and be it

FURTHER RESOLVED, that claims for such sums shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 1989 Account No. A 6510-401.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (314-1989)

APPROPRIATING FUNDS TO THE  
VETERANS OF FOREIGN WARS,  
POST 8749 - CHARGE TO  
ACCOUNT NO. A 6510-401

Co. Maloney offered the following resolution:

WHEREAS, the Veterans of Foreign Wars, Post 8749, 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

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 to the Veterans of Foreign Wars, Post 8749, (\$500 for leasing or rental and maintenance of meeting facility - \$250 for patriotic observances), and be it

FURTHER RESOLVED, that claims for such sum shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against 1989 Account No. A 6510-401.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (314-1989) Continued

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

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RESOLUTION NO. (315-1989)

AWARDING BID FOR BID  
#18-1989 - COMPUTER  
EQUIPMENT/ACCESSORIES (CODE  
CRAFT CORPORATION, GLOBE  
OFFICE SUPPLY CO., INC. AND  
GLASCAL COMMUNICATIONS,  
INC.)

Co. Carey offered the following resolution:

RESOLVED, that based upon the recommendation of the  
Director of Purchasing and the Town Computer Consultant that

BID #18 - 1989  
COMPUTER EQUIPMENT/ACCESSORIES

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

CODE CRAFT CORPORATION  
218 Route 59  
Monsey New York 10952  
Principal - Lazer Milstein

GLOBE OFFICE SUPPLY CO. INC.  
5800 Third Avenue  
Brooklyn, N.Y. 11220  
Principals - Jack Hanon  
Abe Hanon  
Ezra Hanon  
David Hanon

GLASGAL COMMUNICATIONS INC  
151 Veterans Drive  
Northvale NJ 07647  
Principal - Ralph Glasgal

(Schedule on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (316-1989)

AWARDING BID FOR BID  
#28-1989 - INSTALLATION OF  
A CATCH BASIN CLEANER  
(AMTHOR'S WELDING SERVICE)

Co. Carey offered the following resolution:

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

BID #28-1989  
INSTALLATION OF A CATCH BASIN CLEANER

is hereby awarded to

AMTHOR'S WELDING SERVICE  
State Route 52E  
Walden, N.Y. 12586

ARNOLD & ALICE AMTHOR, PRINCIPALS

Continued on Next Page

RESOLUTION NO. (316-1989) Continued

as per their proposed project cost of \$5,300.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (317-1989)

AWARDING BID FOR BID  
#26-1989 - STREET SWEEPER  
(GANNON MUNICIPAL  
EQUIPMENT, INC.)

Co. Carey offered the following resolution:

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

BID #26-1989  
STREET SWEEPER

is hereby awarded to

GANNON MUNICIPAL EQUIPMENT, INC.  
333 E. 23rd Street  
New York, New York 10010  
Gerard A. Gannon, Principal

as per their low bid proposal of \$112,380.00 (\$1873.00 per month for  
60 months) for a Ford CF7000 chassis with a Johnston 600 sweeper  
body.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (318-1989)

AWARDING BID FOR BID  
#32-1989 - REFUSE  
COLLECTION SERVICE (PAT  
NAZZARO DISPOSAL)

Co. Carey offered the following resolution:

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

BID #32-1989  
REFUSE COLLECTION SERVICE

is hereby awarded to

PAT NAZZARO DISPOSAL  
PO Box 481  
Valley Cottage NY  
Pat Nazzaro, Principal

Continued on Next Page

RESOLUTION NO. (318-1989) Continued  
as per the attached price schedule.

(Schedule on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (319-1989)

AWARDING BID FOR BID  
#34-1989 - CHEMICALS  
(JERSEY CHEMICALS INC.,  
UNIVERSAL CHEMICALS, HALBRO  
CONTROL, QUICK CHEMICAL)

Co. Carey offered the following resolution:

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

BID #34-1989  
CHEMICALS

is hereby awarded to the following vendors

JERSEY CHEMICALS INC.  
PO Box 542  
Riverside Station  
Paterson NJ 07524  
Principals - Alan Taub  
Susan Gal

UNIVERSAL CHEMICALS  
100 Hackensack Ave  
South Kearney NJ 07032  
Principals - Donald L. Epstein  
Elaine Kaplan  
Abby Jarett  
Bernard Epstein  
Edward Epstein

HALBRO CONTROL  
2090 Route 110  
Farmingdale NY 11735  
Principals - Stanton Halpern  
Charles Halpern

QUICK CHEMICAL  
200 Winston Drive  
Cliffside Park NJ 07010  
Principal - Jack P. Sockin

as per price schedule on file in Purchasing Department.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (320-1989)

AWARDING BID FOR BID  
#19-1989 - ARTS & CRAFTS  
SUPPLIES (S & S ARTS &  
CRAFTS, CREATIVE CRAFTS  
INTERNATIONAL, ECONOMY  
HANDICRAFTS, A+ DISCOUNT  
SUPPLY, CERAMIC SUPPLY OF

RESOLUTION NO. (320-1989) Continued

NEW JERSEY & NEW YORK, J &  
A HANDY-CRAFTS, INC.,  
I.M.C. MANAGEMENT, INC.,  
RUTH LEE YARN BARN, NEW  
ENGLAND SCHOOL SUPPLY,  
VANGUARD CRAFTS) - CHARGE  
TO ACCOUNTS NOS. 7141-329,  
7310-329 AND 7610-329

Co. Carey offered the following resolution:

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

S & S ARTS & CRAFTS  
Colchester, Connecticut 06415

CREATIVE CRAFTS INTERNATIONAL  
16 Plains Road  
Essex, Connecticut 06426

ECONOMY HANDICRAFTS  
50-21 69th Avenue  
Woodside, N.Y. 11377

A+ DISCOUNT SUPPLY  
300 Airport Exec. Park  
Spring Valley, NY 10977

CERAMIC SUPPLY OF NEW  
JERSEY & NEW YORK  
10 Dell Alen Lane  
Lodi, New Jersey 07644

J & A HANDY-CRAFTS, INC.  
210 Front St  
Hempstead, NY 11550

I.M.C. MANAGEMENT, INC.  
55 Railroad Ave  
Garnerville, NY 10923

RUTH LEE YARN BARN  
412 Nanuet Mall South  
Nanuet, NY 10954

NEW ENGLAND SCHOOL SUPPLY  
P.O. Box 1581  
Springfield, Mass 01101

VANGUARD CRAFTS  
1701 Utica Ave  
Brooklyn, NY 11234

GROSS TOTAL OF ALL ITEMS

\$38,545.94

and be it

FURTHER RESOLVED, that this amount be charged against accounts:

7141-329	\$ 7,058.19
7310-329	13,506.98
7610-329	17,980.77

and be it

FURTHER RESOLVED, that there was no award to bid items #119, 121, 197, 276, 291, 309, 393, 404, 454.

(Schedule of awards on file in Town Clerk's Office)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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TBM - 4/11/89  
TBM 10

RESOLUTION NO. (321-1989)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING  
AGAINST TOWN OF CLARKSTOWN  
(VIPPOLIS V. ZBA)

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

BRUNO VIPPOLIS and LUCIE VIPPOLIS,

Petitioners,

for a Judgment pursuant to CPLR Article 78

-against-

ARNOLD AMSTER, Chairperson, ELIZABETH J.  
SQUILLACE, PHYLLIS BULHACK, WILLIAM  
NIEHAUS, JOHN CAIN, JOHN FELLA, and  
JACK CUFF, constituting the ZONING BOARD  
OF APPEALS OF THE TOWN OF CLARKSTOWN, and  
THE ZONING BOARD OF APPEALS 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 Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (322-1989)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT WOODGLEN  
ELEMENTARY SCHOOL - MAP 41,  
BLOCK A, LOT 14.2

Co. Kunis 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

WOODGLEN ELEMENTARY SCHOOL  
MAP 41, BLOCK A, LOT 14.2

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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;

Continued on Next Page

RESOLUTION NO. (322-1989) Continued

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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (323-1989)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT WEST NYACK  
ELEMENTARY SCHOOL - MAP  
71, BLOCK B, LOT 4.4

Co. Kunis 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

WEST NYACK ELEMENTARY SCHOOL  
MAP 71, BLOCK B, LOT 4.4

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (324-1989)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT BIRCHWOOD  
ELEMENTARY SCHOOL - MAP 69,  
BLOCK A, LOT 8.12

Co. Kunis 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

BIRCHWOOD ELEMENTARY SCHOOL  
MAP 69, BLOCK A, LOT 8.12

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (325-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT  
LITTLE TOR ELEMENTARY  
SCHOOL - MAP 39, BLOCK A,  
LOT 17.1

Co. Kunis 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

LITTLE TOR ELEMENTARY SCHOOL  
MAP 39, BLOCK A, LOT 17.1

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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;

Continued on Next Page

RESOLUTION NO. (325-1989) Continued

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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (326-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT  
NEW CITY ELEMENTARY SCHOOL  
- MAP 58, BLOCK G, LOT 41

Co. Kunis 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

NEW CITY ELEMENTARY SCHOOL  
MAP 58, BLOCK G, LOT 41

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (327-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT  
CONGERS ELEMENTARY SCHOOL -  
MAP 127, BLOCK H, LOT 1

Co. Kunis 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

CONGERS ELEMENTARY SCHOOL  
MAP 127, BLOCK H, LOT 1

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (328-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT  
LAUREL PLAINS ELEMENTARY  
SCHOOL - MAP 55, BLOCK A,  
LOT 2

Co. Kunis 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

LAUREL PLAINS ELEMENTARY SCHOOL  
MAP 55, BLOCK A, LOT 2

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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

Continued on Next Page

RESOLUTION NO. (328-1989) Continued

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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (329-1989)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT STRAWTOWN  
ELEMENTARY SCHOOL - MAP 74,  
BLOCK A, LOT 3.01

Co. Kunis 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

STRAWTOWN ELEMENTARY SCHOOL  
MAP 74, BLOCK A, LOT 3.01

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (330-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT

Continued on Next Page

RESOLUTION NO. (330-1989) Continued

BARDONIA ELEMENTARY SCHOOL  
- MAP 34, BLOCK A, LOT 12

Co. Kunis 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

BARDONIA ELEMENTARY SCHOOL  
MAP 34, BLOCK A, LOT 12

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (331-1989)

AUTHORIZING INSTALLATION OF  
FIRE LANE DESIGNATIONS AT  
LAKEWOOD ELEMENTARY SCHOOL  
- MAP 142, BLOCK A, LOT  
32.18

Co. Kunis 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

LAKEWOOD ELEMENTARY SCHOOL  
MAP 142, BLOCK A, LOT 32.18

by the installation of fire lane designations, and

WHEREAS, JOHN KRAUSE, 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

Continued on Next Page

RESOLUTION NO. (331-1989) Continued

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. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (332-1989)

INCREASING APPROPRIATION  
ACCOUNT A 3120-111 (POLICE  
OVERTIME) AND INCREASING  
REVENUE ACCOUNT 01-003612  
(ROCKLAND COUNTY DWI  
REIMBURSEMENT)

Co. Maloney offered the following resolution:

RESOLVED, to increase Appropriation Account A 3120-111 (Police Overtime) and increase Revenue Account 01-003612 (Rockland County DWI Reimbursement) by \$13,103.75.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (333-1989)

INCREASING ESTIMATED  
REVENUE ACCOUNT NO.  
11-002680 (LIABILITY  
INSURANCE - INSURANCE  
RECOVERIES) AND  
APPROPRIATION ACCOUNT NO.  
CS 1722-409-1984

Co. Maloney offered the following resolution:

RESOLVED, to increase Estimated Revenue Account No. 11-002680 (Liability Insurance - Insurance Recoveries) and Appropriation Account No. CS 1722-409-1984 by \$12,788.20.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (334-1989)

DECREASING CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 8095-438  
(LITTER CONTROL BUREAU -  
MAINTENANCE AGREEMENTS)

Co. Maloney offered the following resolution:

WHEREAS, the Litter Control Bureau Appropriation  
Account No. A 8095-438 is overdrawn because of typewriter  
maintenance,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A  
1990-505 and increase Appropriation Account No. A 8-95-438 (Litter  
Control Bureau - Maintenance Agreements) by \$135.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (335-1989)

DECREASING APPROPRIATION  
ACCOUNT NO. A 1220-201  
(SUPERVISOR'S-FURNITURE &  
FURNISHINGS) AND A 1310-201  
(DIRECTOR OF FINANCE  
FURNITURE & FURNISHINGS)

AND INCREASE  
APPROPRIATION ACCOUNT NO. A  
7550-409 (BI-CENTENNIAL  
COMMITTEE - FEES FOR  
SERVICES)

Co. Maloney offered the following resolution:

WHEREAS, the Bi-Centennial Committee is desirous of  
obtaining public relations services from Professional Image  
Associates, Inc. on a monthly basis,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account No. A  
1220-201 (Supervisor's - Furniture & Furnishings) by \$750 and A  
1310-201 (Director of Finance - Furniture & Furnishings) by \$500 and  
increase Appropriation Account No. A 7550-409 (Bi-Centennial  
Committee - Fees for Services) by \$1,250.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (336-1989)

DECREASING CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 9000-809  
(EMPLOYEES BENEFITS -  
WELLNESS PROGRAM)

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown has signed an agreement with Employee Health Maintenance Systems for the Wellness Program in the amount of \$18,000,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 9000-809 (Employees Benefits - Wellness Program) by \$18,000.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (337-1989)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING  
AGAINST TOWN OF CLARKSTOWN  
(SOUTHERN CLARKSTOWN CIVIC  
ASSOCIATION, INC., LUCILLE  
A. BIFANO AND CLAIRE  
McVICKAR WARD V. TOWN BOARD  
OF TOWN OF CLARKSTOWN,  
PYRAMID COMPANY OF  
ROCKLAND, CLINTON SQUARE  
PLAZA, INC. AND WILLIAM  
CHASE, PLANNING  
COMMISSIONER OF ROCKLAND  
COUNTY

Co. Smith offered the following resolution:

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

SOUTHERN CLARKSTOWN CIVIC ASSOCIATION, INC.  
LUCILLE A. BIFANO AND CLAIRE McVICKAR WARD,

Petitioners,

FOR A JUDGMENT PURSUANT TO ARTICLE 78  
OF THE CIVIL PRACTICE LAW AND RULES

-against-

CHARLES HOLBROOK, as Supervisor, ANN  
MARIE SMITH, STEVEN KUNIS, JOHN MALONEY  
and WILLIAM CAREY, as Councilpersons,  
constituting THE TOWN BOARD OF THE TOWN  
OF CLARKSTOWN, THE TOWN OF CLARKSTOWN,  
PYRAMID COMPANY OF ROCKLAND, CLINTON SQUARE  
PLAZA, INC., and WILLIAM CHASE, as Planning  
Commissioner of the County of Rockland,

Continued on Next Page

RESOLUTION NO. (337-1989) Continued

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (338-1989)

SETTING PUBLIC HEARING WITH  
RESPECT TO ABANDONMENT OF  
PORTION OF MORTON AVENUE  
AND HOWARD STREET, CONGERS,  
NEW YORK (ANNA PERTSCHY)

Co. Maloney offered the following resolution:

WHEREAS, a request has been made by ANNA PERTSCHY, that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of right-of-way as shown on a survey entitled, "Proposed Street Abandonment, Map of Property for Wilhelm Thomasists," Congers, Town of Clarkstown, Rockland County, New York, dated June 24, 1988, prepared by Robert E. Sorace, P.L.S., as described in the metes and bounds description for the unimproved portion of Morton Avenue and Howard Street, as described on Schedule "A" attached, upon the grounds same has never been used by the public and therefore may be deemed abandoned, and

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of May, 1989, at 8:15 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

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

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

Continued on Next Page

RESOLUTION NO. (338-1989) Continued

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (339-1989)

AUTHORIZING ATTENDANCE AT  
SEMINAR FOR TAX COLLECTING  
OFFICERS (MARIE GERONIMO) -  
CHARGE TO ACCOUNT NO.  
1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Marie Geronimo, Receiver of Taxes is hereby authorized to attend a Seminar for Tax Collecting Officers co-sponsored by the Association of Towns of the State of New York and New York State Association of Tax Receivers and Collectors on June 11th thru June 14, 1989 at Hidden Valley, Lake Luzerne, New York at a cost of \$110.00 for lodging plus travel, food and other necessary expenses, said amount to be charged to Account No. 1010-414.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

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RESOLUTION NO. (340-1989)

AUTHORIZING DUMPING OF  
UNBALED SOLID WASTE FROM  
TOWN OF RAMAPO AT  
CLARKSTOWN SANITARY LANDFILL

Co. Kunis offered the following resolution:

WHEREAS, at the present time, the Clarkstown Sanitary Landfill is accepting only baled solid waste from the Town of Ramapo, and

WHEREAS, the Town of Clarkstown is desirous of also permitting the depositing of unbaled solid waste at the Clarkstown Sanitary Landfill, which has originated within the territorial boundaries of the Town of Ramapo;

NOW, THEREFORE, be it

RESOLVED, that the Clarkstown Sanitary Landfill is hereby authorized to accept unbaled solid waste which has originated within the territorial boundaries of the Town of Ramapo, and be it

Continued on Next Page

RESOLUTION NO. (340-1989) Continued

FURTHER RESOLVED, that the authority of the Clarkstown Sanitary Landfill to accept unbaled solid waste as set forth above, is subject to and conditioned upon receipt of written authority to do so from the New York State Department of Environmental Conservation.

Seconded by Co. Maloney

Councilman Kunis said the Towns and the Villages had a very productive meeting here regarding solid waste at which three members of our own Town Board were present. He reiterated the importance of taking in unbaled garbage at the Clarkstown Landfill and what it means to the Clarkstown budget for the balance of 1989. He said we are deferring to Les Bollman (Director of Department of Environmental Control) who is going to research this with the DEC tomorrow regarding a tipping fee for unbaled garbage and unbaled commercial garbage from the Town of Ramapo.

Councilman Kunis went on to say that in the first quarter of 1989 we accepted 8,672 tons of garbage at \$55.00 per ton which equals approximately \$477,000.00. That is over 50% under budget of what we expected to take in in Ramapo revenue when we did the budget in October of 1988. Out of the 50% of the garbage that is no longer coming into the Landfill approximately 90% of that is Ramapo commercial garbage which has been by-passing the Ramapo baler. There is a baler tax and the baler tax in Ramapo is being by-passed and the garbage is being taken to New Jersey. This has resulted, or could result, in a potential \$1,000,000.00 budget shortfall in the Town of Clarkstown. The fact that we will accept unbaled garbage and the Board has agreed to set a tipping fee as soon as Mr. Bollman gets back to us, if we could take in the remaining 15,400 tons of garbage at let's say \$80.00 per ton for commercial garbage, we will then take in another \$1,232,000.00 and with the \$477,000.00 that we have received in the first quarter of 1988, we will then have the money in our operating budget and we will not have a budget shortfall. We will also have additional revenue of some \$750,000.00 to \$1,000,000.00 that we can place in escrow for any landfill expenses which are incurred in closing. It is a very positive move to take in the unbaled garbage and it will provide the Town of Clarkstown with the additional revenue which we expected to lose. It will help in the formation of a solid waste disposal district among Orangetown, Ramapo and Clarkstown.

Supervisor said he thought he was speaking for all the members of the Town Board when he stated that we are very desirous of the creation of a tri-partite sanitation district. This is something that had been discussed in 1987. The time is ripe now for it to be pursued so that Clarkstown, Orangetown and Ramapo can hopefully come together to solve our mutual solid waste needs. If that occurs, we will go a long way to ultimately solving our solid waste problem here in Rockland County.

On roll call the vote was as follows:

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

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RESOLUTION NO. (341-1989)

AUTHORIZING SUPERVISOR TO EXECUTE EXTENSION OF STREAM MAINTENANCE AGREEMENT WITH COUNTY OF ROCKLAND

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (341-1989) Continued

WHEREAS, the County of Rockland has budgeted funds for the 1989 Stream Maintenance Program, and

WHEREAS, the sum of \$36,000 has been appropriated for the Town of Clarkstown with regard to the 1989 Stream Maintenance Program, and

WHEREAS, the Town of Clarkstown is desirous of entering into an Extension Agreement with the County of Rockland for stream maintenance during 1989;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement with the County of Rockland in a form satisfactory to the Town Attorney which shall provide for the Town of Clarkstown to receive the appropriated sum of \$36,000 for the year 1989 from the County of Rockland, which said sum will be utilized for the purpose of reimbursing the Town of Clarkstown in maintaining streams located within the territorial boundaries of the Town of Clarkstown.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (342-1989)

REFERRING PROPOSED ZONE  
CHANGE TO CLARKSTOWN  
PLANNING BOARD AND ROCKLAND  
COUNTY COMMISSIONER OF  
PLANNING ON TOWN'S OWN  
MOTION - CHANGE FROM R-15  
TO RS DISTRICT (PROPERTIES  
LOCATED AT ROUTE 9W,  
CONGERS)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, on its own Motion, has recommended that the Zoning Ordinance of the Town be amended by redistricting a portion of certain properties, from an R-15 District to an RS District, and

WHEREAS, said properties are designated on the Clarkstown Tax Map as Map 142, Block A, Lot(s) 7, 7.01, 8.01, 8.02, 32.01 and 32.04;

NOW, THEREFORE, be it

RESOLVED, that this resolution is hereby referred to the Clarkstown Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board

Continued on Next Page

RESOLUTION NO. (342-1989) Continued

determines that it shall act as lead agency and the Director of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (343-1989)

SETTING PUBLIC HEARING  
REGARDING SPECIAL PERMIT TO  
CONDUCT LANDFILL OPERATION  
- ROUTE 9W AND ROUTE 303,  
CONGERS, NEW YORK - MAP  
129, BLOCK A, LOT 21

Co. Smith offered the following resolution:

WHEREAS, 303-9W CO., with offices at 77 Maple Avenue, New City, New York, as property owner has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation for property located on the north and east sides of Route 9W and Route 303, Congers, New York, designated on the Clarkstown Tax Map as Map 129, Block A, Lot 21, pursuant to Chapter 106-10A, Table 14, Column 3, Item B-3 of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 23rd day of May, 1989, at 8:10 P.M., to consider the application of 303-9W CO., relative to said Special Permit, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (344-1989)

GRANTING CLARKSTOWN  
PLANNING BOARD EXTENSION OF  
TIME TO SUBMIT  
RECOMMENDATIONS WITH  
RESPECT TO PETITION OF  
303-9W CO., FOR SPECIAL  
PERMIT

RESOLUTION NO. (344-1989) Continued

Co. Maloney offered the following resolution:

WHEREAS, the Clarkstown Planning Board has requested an extension of time to submit recommendations to the Town Board with respect to its review of the petition of 303-9W CO., for a Special Permit to operate a landfill operation, on property designated on the Clarkstown Tax Map as Map 129, Block A, Lot 21, because they are waiting for information from the New York State Department of Environmental Conservation concerning the State's field determination on the wetland area;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants the Clarkstown Planning Board an extension of time to May 22, 1989, to submit recommendations to the Town Board with respect to its review of the petition of 303-9W CO., for a Special Permit to operate a landfill operation, on property designated on the Clarkstown Tax Map as Map. 129, Block A, Lot 21.

Seconded by Co. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (345-1989)

SETTING PUBLIC HEARING  
REGARDING PROPOSED  
AMENDMENT TO ZONING  
ORDINANCE - AMEND SECTION  
106.3. DEFINED WORDS  
(RECYCLING FACILITY,  
TRANSFER STATION)

Co. Maloney offered the following resolution:

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

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

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 23rd day of May, 1989, at 8:05 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend §106-3. Defined Words - to add the following:

RECYCLING FACILITY - An area of land upon which is located, permanently or temporarily, structures, machinery and/or other devices which are utilized to separate, process, modify, convert, treat, boil, compost, compact, or prepare solid waste, refuse, leaves, trash, trees or soil, so that any component part of same may be recovered.

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RESOLUTION NO. (345-1989) Continued

TRANSFER STATION - An area of land upon which is located, permanently or temporarily, structures, machinery and/or other devices where any solid waste, refuse, leaves, trash, trees or soil is taken from a collection vehicle and placed either upon the land, into any other transportation unit or into any other device for future movement to another location.

Amend §106-16. Additional requirements for certain special permit uses by Special Permit of the Town Board - to add Item R as follows:

R. Recycling Facility and Transfer Station are subject to the following conditions:

(1) Compliance with applicable law. The applicant shall in all respects comply with any applicable requirements, rules or regulations of the State of New York as they relate to a Recycling Facility or Transfer Station, including but not limited to Title 6, Part 360 of the Official Compilation Codes, Rules and Regulations of the State of New York entitled "Solid Waste Management Facilities."

(2) Screening. Screening shall be provided as required by the Planning Board of the Town of Clarkstown.

(3) Disposal. No waste material, product, by-product or residue material which may result from the valid operation of a Recycling Facility or Transfer Station pursuant to the special permit issued shall be disposed of at any sanitary landfill facility operated by the Town of Clarkstown without the express written permission and consent of the Director of the Department of Environmental Control.

(4) Additional conditions. The Town Board may in its discretion establish additional conditions that it deems necessary and appropriate, based upon circumstances that exist at the time of the granting of the special permit.

and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (346-1989)

AUTHORIZING SUPT. OF  
HIGHWAYS TO REMOVE DEAD  
TREES ON PREMISES  
DESIGNATED AS MAP 139,  
BLOCK A, LOT NO. 20  
(BARBARA KLOEK)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (346-1989) Continued

WHEREAS, the Town Board of the Town of Clarkstown has determined that the condition complained of in the Order and Notice pursuant to Section 79-3 of the Code of the Town of Clarkstown dated February 7, 1989, on premises owned by BARBARA KLOEK, more particularly described on the Tax Map of the Town of Clarkstown as MAP 139, BLOCK A, LOT NO. 20 has not been corrected;

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways of the Town of Clarkstown be and he is hereby authorized and directed to remove two dead trees from the aforesaid premises, and be it

FURTHER RESOLVED, that the expenses incurred by the Superintendent of Highways with respect to such removal and all other necessary action be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes and the Assessor are hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Superintendent of Highways.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (347-1989)

APPROVING DRUG ABUSE  
PREVENTION COUNCIL GRANTS  
FOR 1989

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Drug Abuse Prevention Council has determined that the following non-profit organizations are eligible to receive grant funding to provide a program seeking to combat substance abuse problems and educating youth in the Town of Clarkstown to avoid such problems, and

WHEREAS, the Drug Abuse Prevention Council has recommended the amount for the grant awards to be made;

NOW, THEREFORE, be it

RESOLVED, that the following organizations are hereby awarded a monetary grant pursuant to Town Board resolution #179, and be it

FURTHER RESOLVED, that grant recipients are required to acknowledge in their program literature that funding was provided by the Clarkstown Town Board under the sponsorship of the Clarkstown Drug Abuse Prevention Council.

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

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (347-1989) Continued

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

\*\*\*\*\*

RESOLUTION NO. (348-1989)

AUTHORIZING PAYMENT TO TWO  
 MINI-BUS DRIVERS FOR  
 SERVICES RE: SIGHTSEEING  
 TOUR BEING HELD BY  
 CLARKSTOWN BICENTENNIAL  
 COMMISSION - CHARGE TO  
 ACCOUNT A 5630-110

Co. Smith offered the following resolution:

WHEREAS, the Clarkstown Bicentennial Commission has organized a sightseeing tour of historical places which are located in the Town of Clarkstown, to be held on May 7, 1989, and

WHEREAS, the Clarkstown Bicentennial Commission is requesting the Town Board to pay for the services of two of the Town's mini-trans bus drivers, and to supply the Commission with two mini-trans buses, for May 7, 1989, and

WHEREAS, the Town Board of the Town of Clarkstown believes that the tour of historical sites will be a worthwhile endeavor;

NOW, THEREFORE, be it

RESOLVED, that the Town Board shall authorize payment to the two mini-trans bus drivers for their services on May 7, 1989, with respect to the bus tour, and be it

FURTHER RESOLVED, that such payment shall be charged to Account A-5630-110.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (349-1989)

AUTHORIZING ATTENDANCE AT  
 ANNUAL EDUCATIONAL  
 CONFERENCE OF NATIONAL  
 INSTITUTE OF GOVERNMENTAL  
 PURCHASING - CHARGE TO  
 ACCOUNT A 1010-414-  
 LAURENCE KOHLER

Co. Maloney offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the Annual Educational Conference of the National Institute of Governmental Purchasing in Portland, Oregon from July 29th - August 2nd, 1989, and be it

Continued on Next Page

RESOLUTION NO. (349-1989) Continued

FURTHER RESOLVED, that necessary costs related to same be charged to Account A 1010-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (350-1989)

AUTHORIZING ATTENDANCE AT  
COURSE ON ASSESSMENT  
COMPLAINT PROCEDURES (CATHY  
L. CONKLIN) - CHARGE TO  
ACCOUNT 1010-414

Co. Smith offered the following resolution:

RESOLVED, that Cathy L. Conklin, Supervising Real Property Appraiser for the Town of Clarkstown is hereby authorized to attend the course in Assessment Complaint Procedures sponsored by the State Department of Equalization & Assessment for continuing education. This course is to be given in Ulster County on April 12, 1989, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (351-1989)

AUTHORIZING PAYMENT TO  
SECRETARY TO BOARD OF  
APEALS (MARGARETANN RIES)  
FOR PREPARATION OF  
TRANSCRIPT (CARLUCCI, ET AL  
V. ZBA)

Co. Carey offered the following resolution:

RESOLVED, that the sum of \$952.25 be paid to Margaretann Ries, Secretary to the Board of Appeals, for the preparation of the transcript in the matter of Carlucci , et al. v. ZBA.

Seconded by Co. Smith

On roll call the vote was as follows:

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

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RESOLUTION NO. (352-1989)

CORRECTING RESOLUTION NO.  
268-1989 RE: 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 Town Board resolution No. 268-1989 is hereby corrected to read

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, May 8, 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. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (353-1989)

CORRECTING 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 Town Board resolution No. 269-1989 is hereby corrected to read

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, May 2, 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. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (354-1989)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #36-1989 -  
SALE OF LEAF COMPOSTING  
MATERIAL

Co. Maloney offered the following resolution:

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

BID #36-1989  
SALE OF LEAF COMPOSTING MATERIAL

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, May 5,  
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. Carey

On roll call the vote was as follows:

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

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RESOLUTION NO. (355-1989)

ACCEPTING RESIGNATION OF  
COUNSELING AIDE -  
COUNSELING CENTER (JUDITH  
GUTTMAN)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Judith Guttman, 8  
Plains Drive, New City, New York - Counseling Aide - Counseling  
Center - is hereby accepted - effective and retroactive to March 27,  
1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (356-1989)

ACCEPTING RESIGNATION OF  
EMPLOYMENT ASSISTANT I -  
COUNSELING CENTER (ROBIN W.  
GRAFF)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Robin W. Graff, 28  
Kendall Drive, New City, New York - Employment Assistant I -  
Counseling Center - is hereby accepted - effective and retroactive to  
March 27, 1989.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (356-1989) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (357-1989)

ACCEPTING RESIGNATION OF  
OFFICE WORKER STUDENT -  
COUNSELING CENTER (COLLEEN  
MCGOVERN)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Colleen McGovern, 89 Ohio Avenue, Congers, New York - Office Worker Student - Counseling Center - is hereby accepted - effective and retroactive to March 27, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (358-1989)

ACCEPTING RESIGNATION OF  
OFFICE WORKER STUDENT -  
COUNSELING CENTER (KARIN  
VANDERLINDE)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Karin Vanderlinde, 31 Deerfield Drive, New City, New York - Office Worker Student - Counseling Center - is hereby accepted - effective and retroactive to March 27, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (359-1989)

CREATING POSITION OF CLERK  
STENOGRAPHER - COUNSELING  
CENTER

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 29, 1989 that the position of Clerk Stenographer - can be created,

RESOLUTION NO. (359-1989) Continued

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk Stenographer - Counseling Center - is hereby created - effective and retroactive to April 10, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (360-1989)

APPOINTING TO POSITION OF  
(PROVISIONAL) CLERK  
STENOGRAPHER - COUNSELING  
CENTER (RENEE KIRSCHNER)

Co. Carey offered the following resolution:

RESOLVED, that Renee Kirschner, 17 Farm Court, New City, New York, is hereby appointed to the position of (provisional) Clerk Stenographer - Counseling Center - at the current 1989 annual salary of \$16,013.00, effective and retroactive to April 10, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (361-1989)

APPOINTING TO POSITION OF  
OFFICE WORKER STUDENT -  
SUPERVISOR'S OFFICE (ANDREA  
TORTORA)

Co. Carey offered the following resolution:

RESOLVED, that Andrea Tortora, 152 Sleepy Hollow Lane, Congers, New York, is hereby appointed to the position of Office Worker Student - Supervisor's Office - at the current hourly rate of \$3.50, effective April 12, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (362-1989)

ACCEPTING RESIGNATION OF  
POLICE MATRON - POLICE  
DEPARTMENT (JOAN JAHNES)

Co. Carey offered the following resolution:

RESOLVED, that the resignation of Joan Jahnes, 10  
Blauvelt Road, Blauvelt, New York - Police Matron - Police  
Department - is hereby accepted - effective and retroactive to March  
29, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (363-1989)

RECOGNIZING APPOINTMENT BY  
POLICE COMMISSION OF  
CROSSING GUARD - POLICE  
DEPARTMENT (LORETTA COYNE)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the  
appointment by the Police Commission of Loretta Coyne, 257 Cottage  
Road, Valley Cottage, New York, as a Crossing Guard - Police  
Department - at the rate of \$8.18 per crossing covered - effective  
and retroactive to March 29, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (364-1989)

RECOGNIZING APPOINTMENT BY  
POLICE COMMISSION OF  
CROSSING GUARD (CLAIRE  
McEVoy)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the  
appointment by the Police Commission of Claire McEvoy, 9 Lorraine  
Court, New City, New York, as a Crossing Guard - Police Department -  
at the rate of \$8.18 per crossing covered - effective and retro-  
active to March 29, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (365-1989)

RECOGNIZING APPOINTMENT BY  
POLICE COMMISSION OF  
SECRETARY (PART-TIME)  
POLICE COMMISSION (KATHLEEN  
COLE-HATCHARD)

Co. Carey offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Kathleen Cole-Hatchard, 444 Route 210, Stony Point, New York, as Secretary (part-time) Police Commission - at the current 1989 annual salary of \$900.00, effective and retroactive to April 1, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (366-1989)

CREATING POSITION OF  
PRINCIPAL ENGINEERING  
TECHNICIAN - DEPARTMENT OF  
ENVIRONMENTAL CONTROL

Co. Carey offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 29, 1989 that the position of Principal Engineering Technician - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Principal Engineering Technician - Department of Environmental Control - is hereby created - effective April 12, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (367-1989)

APPOINTING TO POSITION OF  
LANDFILL EQUIPMENT SERVICER  
- SANITARY LANDFILL  
(VINCENT DeCARLO)

Co. Carey offered the following resolution:

RESOLVED, that Vincent DeCarlo, Jr., 160 North Main Street (Apt. 67B), New City, New York, is hereby appointed to the position of Landfill Equipment Servicer - Sanitary Landfill - at the current 1989 annual salary of \$32,618.00, effective and retroactive to April 10, 1989.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (367-1989) Continued

On roll call the vote was as follows:

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

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RESOLUTION NO. (368-1989)

APPOINTING TO POSITION OF  
BUS DRIVER III - MINI TRANS  
DEPARTMENT (WILLEM MAXI)

Co. Carey offered the following resolution:

RESOLVED, that Willem Maxi, 18 Waldron Avenue, (Apt. 1A) Central Nyack, New York, is hereby appointed to the position of Bus Driver III - Mini Trans Department - at the current 1989 annual salary of \$23,079.00, effective and retroactive to April 10, 1989.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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RESOLUTION NO. (369-1989)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO INSTALL  
SIGNS - MAPLE AVENUE AND  
MAIN STREET, NEW CITY, NEW  
YORK

Co. Carey offered the following resolution:

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

The following signs: "15 MPH" with a "School" panel sign beneath (a W6-3B) sign - Sec. 236.2 of the NYS Manual of Uniform Traffic Control Devices).

1. On Third Street at Maple Avenue.
2. On the west side of Maple Avenue, 300 feet north from the elongation of the northerly wall of the St. Augustine's School, New City.
3. On the east side of Main Street, 300 feet south from the elongation of the south wall of the school.
4. On the west side of Main Street, 300 feet north from the elongation of the north wall of the school.
5. On the south side of Second Street, east of Main Street.
6. On the north side of Second Street east of Maple Avenue 300 feet easterly from the elongation of the easterly wall of the school.

and be it

Continued on Next Page

RESOLUTION NO. (369-1989) Continued

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change from R-15 to CS - Romolo's - was opened, time: 8:57 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Zone Change from R-15 to CS - Romolo's - was closed, DECISION RESERVED, time: 9:25 P.M.

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Amendment to the Zoning Ordinance - Slopes, Wetlands, etc., was opened, time: 9:30 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Amendment to the Zoning Ordinance - Slopes, Wetlands, etc., was recessed and the matter rereferred, RESOLUTION ADOPTED, time: 10:20 P.M.

RESOLUTION NO. (370-1989)

ADJOURNING PUBLIC HEARING  
AND REREFERRING PROPOSED  
AMENDMENT TO SECTION  
106-20D OF ZONING ORDINANCE  
TO CLARKSTOWN PLANNING  
BOARD, BUILDING DEPARTMENT  
AND DEPARTMENT OF  
ENVIRONMENTAL CONTROL  
(SLOPES, WETLANDS, ETC.)

Co. Maloney offered the following resolution:

RESOLVED, that the public hearing of April 11, 1989 with respect to the proposed Amendment to Section 106-20D of the Zoning Ordinance is hereby adjourned without date, and be it

FURTHER RESOLVED, that the proposed Amendment to the Zoning Ordinance shall be rereferred to the Clarkstown Planning Board, the Building Department and the Department of Environmental Control for their report and recommendations.

Seconded by Co. Carey

On roll call the vote was as follows:

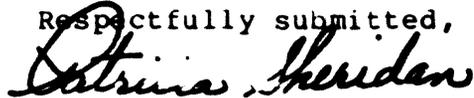
Councilman Carey.....	Yes
Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

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On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include Ralph Moccio was opened, time: 10:21 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Extension of Clarkstown Consolidated Water Supply District No. 1 to include Ralph Moccio was closed, ORDER SIGNED, time: 10:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/11/89

8:57 P.M.

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

RE: ZONE CHANGE FROM R-15 TO CS - ROMOLO'S - MAP 126, BLOCK B,  
LOTS 25, 26, 26.01 AND 26.02

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was opened. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Town Attorney noted that there was a disapproval from the Rockland County Commissioner of Planning and therefore you will need a majority plus one for approval. The Clarkstown Planning Board approves subject to conditions and if these conditions are not met they recommend denial (letters on file in Town Clerk's Office.) Town Attorney stated that the Planning Consultant recommends that the SEQRA shows there would be no significant adverse environmental impacts.

Supervisor stated that the applicant would now make its presentation and then the Town Board Members will ask whatever questions they choose. It will then be opened up to the public for comments, questions or statements.

Appearance: Donald S. Tracy, Esq.  
Tracy, Bertolino & Edwards  
Attorney for Glomar Realty Corp.  
(Romolo's)

Mr. Tracy said they have submitted a petition for the rezoning of a parcel of land from R-15 to CS. He said you will note that a portion of the property is already zoned CS - approximately the front quarter portion. We have a parcel partially zoned R-15 and partially zoned CS on which there is a restaurant use. Under the Clarkstown zoning ordinance where a lot is split by a district line the bulk regulations for the more restrictive district govern. In this case, the more restrictive district is the R-15 district. Therefore, as will be testified by Romolo, this creates a considerable problem when any changes are to be made as each time he has to go before the Zoning Board of Appeals. To go before our Zoning Board of Appeals is an extremely lengthy process. The discretion of the ZBA is more often exercised in a negative fashion than a positive fashion and any such appearance before that board would be solely within their discretion.

Mr. Tracy said in the report of Commissioner Chase, if read in its entirety, one would have noticed that the Commissioner had no objection to the expansion of the property as its present restaurant use. He said the Commissioner would not like to see CS bulk regulations applied to the property because then the property, in his opinion, could be turned into a strip shopping center and this would have an adverse effect on what he refers to as a high speed road, which is Route 303. At the present time, there exists on that property an extremely successful restaurant. There is no intent to change the restaurant into a strip shopping center. The intent is to expand the restaurant and the intent is to be able to do so without having to go before the ZBA.

Mr. Tracy said some of the Planning Board's recommendations make sense and some of them are counterproductive. They talk about tearing down the existing two family house on Medway Avenue. They discussed a resolution which said that Romolo would covenant that he would never change the property into anything but restaurant use. Such covenants can be freely entered into by

Continued on Next Page

applicants and subsequently vitiated in the courts. If a man has a CS zone he has a CS zone and 15 or 20 years from now a man might want to put the property to another use in which case he would then go to the courts and remove that covenant. That particular covenant doesn't hold any water.

With regard to what benefit this could be to the community it is noted that at the present time in the rear on Medway Avenue facing the residential portion of the property a portion of it is fenced. Trucks come in on Medway Avenue which is a gravel road. The other portion that isn't fenced has become a dumping ground. While Romolo says they don't dump anything there, other people dump things there - nevertheless it is disconcerting to the neighbors. Therefore, we have agreed that if this zone change is granted we would remove any access to the property from Medway Avenue and continue the stockade fence along the entire portion of the property owned on Medway Avenue thus ameliorating a situation which might cause some concern to the neighbors in the rear.

Mr. Tracy said there was also a suggestion that they increase the buffer zone from 20 feet facing the residential portion to 30 feet. That is no problem either. There was some suggestion that adequate provision for future road widening be made. That would not be objectionable either provided it would be a covenant as, when and if and not an immediate dedication. The existing two family house is a sound house. We don't believe the housing situation in Rockland County dictates that such housing be torn down merely to be able to enlarge a vestibule in the existing restaurant.

Mr. Tracy said they believe that there are pluses in this zone change for the municipality and there are pluses in the zone change conditions that can be extracted which would be favorable to the residents and therefore, in an overall sense, to the public health, safety and welfare.

Mr. Tracy then called upon Romolo to answer a few questions.

Appearance: Mr. Romolo Mingone, President  
Glomar Realty

Mr. Tracy asked Mr. Mingone if he had heard everything that he (Mr. Tracy) had said to the Board here tonight? Mr. Migone replied in the affirmative. Mr. Tracy asked him if that confirmed his point of view and does he confirm that he would agree to these aspects that he (Mr. Tracy) spoke about if this Board saw fit to favorably grant the zone change? Mr. Mingone again replied in the affirmative.

Mr. Tracy asked Mr. Mingone to confirm to the Board as to why he is coming in for a zone change at this point. Mr. Mingone stated that in the past every time he has gone for permits, etc. to have something done he is always turned down. He stated that he pays the architects, brings in the plans and then is told that he has to go to the ZBA and these are for small changes, not even what he would consider a major change in the structure.

Mr. Tracy asked Mr. Mingone if he had any intent of discontinuing the restaurant use as it presently exists now, or in the near future. Mr. Mingone stated that he did not.

Supervisor asked if any Town Board members had any questions of Mr. Tracy or of Mr. Mingone? No one did. Mr. Tracy thanked the Board and reserved his right for rebuttal.

Supervisor then asked if there was anyone present from the public who would like to make a comment or ask a question?

Appearance: Ms. Debora Macalena  
39 Medway Avenue  
Congers, New York

Continued on Next Page

Mrs. Macalena spoke regarding the problem in the way Romolo maintains the back of the restaurant and many of the residents of Medway Avenue and Lenox Avenue face the back of his property. She said if the zone change is granted to him then the residents do not have the ZBA as a buffer against what he will do now or in the near future. He can tear down the house, change the property completely, expand the restaurant, get rid of it, etc. and then they will be left with commercial property. The residential area does not really want that. She stated that they have had problems with things that he says he is going to do and then doesn't complete. She mentioned that the fence being talked about is three quarters down when it is not being kicked in. She said cars and trucks scatter rocks and her car has been hit. She said there is danger to the children the way the trucks are driven on and off the property in question. She said they do not want to face more of the same if there is expansion. She said if he wants to do his neighbors a favor why doesn't he use Route 303?

Appearance: Ms. Jennifer Rosensweig  
51 Medway Avenue  
Congers, New York

Mrs. Rosensweig said for several years she has been bothered with all the commercial vehicles coming in to service the restaurant. She stated that this was a dirt road and should not be traveled on a great deal in any case but when heavy duty trucks are coming in at all hours of the day making deliveries it is a real danger for the children and for the families. Parking for the restaurant now on weekends totally ties up every bit of Tremont Avenue and Medway Avenue. She said he does have extra land that could be utilized for parking further down on Route 303 adjacent to the north end of the restaurant and she questions why that hasn't been used. She said she saw no benefit to the people in this plan. She said even if the fence were put up around the Medway Avenue side that still does not take away from the extra traffic that comes in as a result of the restaurant being there.

Appearance: Mr. Les Harris  
76 Lenox Avenue  
Congers, New York

Mr. Harris said when this restaurant was built permission was given to have the restaurant set back so that there would be parking on Route 303 with the request that there would be no trucks entering Medway Avenue. Now, all we have is trucks on Medway Avenue, Tremont Avenue and Lenox Avenue. At night when the employees leave the restaurant they start their cars and leave them running for 15 or 20 minutes and the neighbors have to listen to that. We don't need a change in the zoning here. The way it is now is very good. As far as the property in the back facing Medway Avenue it looks like the South Bronx because they don't take care of it.

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

Mr. Lodico said the Industrial Development Committee has not discussed this proposal as a board because it did not come before them. He felt Romolo's Restaurant has been one of the finer ones in the town over the years. It is a good tax ratable and the expansion to the building would increase the value of the land. Any questions about entering from Medway Avenue would be resolved as the result of clearing the area and putting a fence from end to end. All the ingress and egress would then come from Route 303. It is in the best interests of the taxpayers of this Town to grant the request.

Appearance: Mr. Steve Danko  
63 Lenox Avenue  
Congers, New York

Mr. Danko said he is definitely against the zone change. This is strictly a residential area and as far as business goes he is glad there is a restaurant there. He stated that this proposal came before this Town Board right before Romolo's Restaurant was built. At that time the Town Board refused to change that property to commercial then. Now, we have 10 to 15 more homes in the area. He noted that Congers Lake, which the Town owns, is right across the street.

Appearance: Ms. Ann Shember(?)  
34 Medway Avenue  
Congers, New York

Ms. Shember said we all pay taxes. She said Romolo's has been a thorn in her side from the day she moved in. If you give him the opportunity to do any more damage to the residential area, to the property, to our neighborhood it is a definite injustice. We are now subjected to traffic, odors, noise, etc. It is getting to the point where it is just not a nice place to live. She said she did not think Congers wants to push all the residential people out for the commercial area.

Councilman Maloney asked if the applicant was agreeing to limit this to restaurant use only as indicated? He said that was one of the conditions which the Planning Board set forth and also eliminate access to Medway Avenue. Mr. Tracy said he had indicated in his presentation that the condition limiting use to restaurant only would not hold water. We can say that but it is not going to be enforceable in his legal opinion. Mr. Tracy said he therefore confined Romolo's testimony to the fact that he has no intention of doing anything with it other than making it a restaurant rather than saying we will covenant to that and then 10 or 15 years from now someone will come in and say that covenant is not enforceable.

Councilman Maloney asked what about the access to Medway Avenue? Mr. Tracy said the major portion of his testimony was that the give in this thing is that all of the objections have centered around a primary issue - traffic and trucks on Medway. What we have said is that we will close off access on Medway and will solidly fence the entire rear of Medway which will mean that any trucks making deliveries, any employees starting their cars coming in and out will all have to come in off Route 303. Mr. Tracy said we will probably put a parking space on the side of Tremont to accommodate the residential portion of the property. There would be no truck traffic or if this Board so desired all access would have to come in off Route 303. He said that should eliminate all objections, except for the woman who moved in after Romolo's was there and said it is a thorn in her side and the gentleman who complained about the smells.

Mr. Tracy said a restaurant use is permitted in R-15 on a major road. The restaurant use per se is permitted there whether it is R-15 or not. As far as the smells are concerned the Bard said "a rose by any other name would smell as sweet" whether it is R-15 or CS. It can be there as of right and restaurants do produce odors so we can't ameliorate that. We will close off Medway Avenue and there will be no truck traffic on Medway and it will permit the expansion of the vestibule and the minor things that need to be done without having to go to the ZBA because of the split in the zone line. That is the whole purpose of the zone change.

Appearance: Mr. Rick Shember  
34 Medway Avenue  
Congers, New York

Mr. Shember said that Mr. Tracy just stated that in a residential area you are allowed to build a restaurant at this current time. If that is the case, he did not understand the hearing. What is the purpose of changing it to a commercial zone if he is already allowed to do what he says he is going to do?

PH - Romolo's - Zone Change from R-15 District to CS District  
Page 5

Supervisor asked Mr. Tracy to answer this and clarify it. Mr. Tracy said the purpose is that in the residential zone where the restaurant now sits because the restrictions on bulk in the residential zone are greater than in CS and we have a property that is split by a zone line, the more restrictive bulk regulations govern. Every time Romolo wants to do something he has to go to the ZBA to get a bulk variance and that is the purpose.

Supervisor said the bulk requirements are less restrictive in the CS zone and that is the reason.

Mr. Tracy said basically the rebuttal he has made is the fact that the primary objection that he has heard is the claim of truck traffic, noise, dust, danger to the children on Medway. He said the covenant they propose would be to close off access on Medway and we would file a covenant running with the land to the effect which should eliminate those objections which we are able to eliminate. We would also fence the entire parcel. Mr. Tracy said as far as housekeeping deficiencies he was not aware of those but he said he was sure they have been taken note of and would be improved upon. He said as far as the things that can't be ameliorated or mitigated, such as smell, they are going to be there whether the zone changes or stays the same.

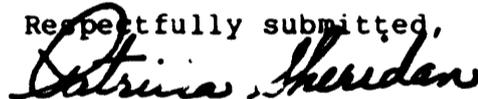
Mr. Tracy thanked the Board and the residents who came out to speak tonight.

Supervisor said for the information of the public we have a workshop session on April 18th at which this is likely to be discussed. The Town Board might be making a decision on April 25th. If anyone wishes to call his office he will inform them if the Town Board will be making a decision on that date.

In response to a question as to who enforces covenants, the Supervisor said if the Town grants them we like to think that hopefully the Town would enforce them.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey, the public hearing was closed, DECISION RESERVED, time: 9:25 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

225

Town Hall

4/11/89

9:30 P.M.

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

RE: AMENDMENT TO THE ZONING ORDINANCE (SLOPES, WETLANDS, ETC.)

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

Town Attorney stated that the County Planning Board recommended approval subject to conditions. The Clarkstown Planning Board recommended certain changes. As to SEQR, Mr. Geneslaw, Planning Consultant, feels no further action is necessary. There has been a change since the first one and it is more explicit and he feels it is okay.

Mr. Jacobson then read the letter from the Clarkstown Planning Board dated November 3, 1988. Town Attorney said basically this letter is what appears in the notice.

Supervisor said this has been bouncing around for a number of years from the Planning Board to the Town Board and we finally had it referred again to the Planning Board and that is why we ended up setting a date for the Public Hearing.

Supervisor asked if there was anyone wishing to make a comment or ask a question?

Appearance: Mr. John Booth, representing  
Rockland County Builders Association  
400 East 52nd Street  
New York, New York

Mr. Booth went into great detail in discussing all of the proposals. He gave each Town Board Member a handout referring to Lands Under Water. After going through the specifics of each proposal Mr. Booth said in looking at an overview of the situation the land becomes more restrictive and more expensive. Here, we are trying to keep young people in this community and we would like to get them to come into this town but if a house is going to be more expensive then they will not come in. When you don't have young people you get stagnation. When you have more restrictive regulations you create stagnation. He said let's not kill a gnat with a sledge hammer.

Appearance: Henry Horowitz, Esq.

Mr. Horowitz gave a history of what this section was previously. He said we now come up with what we have this evening. The best thing he could say about it is that it is disasterous to most big and small zones. He asked many questions regarding the proposals and stated that if most of the people in the Town of Clarkstown understood the ramifications of these proposals we would be jammed to the back of this room.

Mr. Horowitz took each proposal in detail and explained his reservations concerning the same. He said the Town has a bigger problem than this section. If this were to pass tomorrow morning it would not impact anybody. We are all here living in our houses. We got our CO's and it doesn't bother us. Wait until people start trying to add a porch and all those lots suddenly become non-conforming lots.

Mr. Horowitz said the Town Board should require that anyone who is proposing something like this must give the Town a

Continued on Next Page

legislative jacket to indicate why they want it, what's wrong with what we've got and what other choices there are. Mr. Horowitz said it is an affront to this Board to have any kind of legislation without details of all the reasons why it is being added. He asked the Town Board to let him know the environmental benefit we would get from this.

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

Mr. Lodico said 95% of our people don't understand this type of change in our ordinance which is very serious. He mentioned that in the previous public hearing this evening someone mentioned that the restaurant in question went way back to a previous supervisor's time. He said a subdivision was approved with x number of lots. When a piece of land has x number of spaces it is worth x number of dollars but when you get x number of lots out of that one piece of land it has 10 times, 15 times, 20 times its value. He urged that we think a little bit before we write the little things that take away and the big things that give. Mr. Lodico said to think about what consequences there will be of a 100 year storm rather than worrying about one in 500 years.

Appearance: Mr. Martus Granirer, President  
West Branch Conservation Association  
South Mountain Road  
New City, New York

Mr. Granirer spoke at great length regarding why we should have restrictions and he said there are benefits to the Town in this very strict ordinance. Mr. Granirer said the rationale behind this kind of an ordinance, with the exception of utility easements serving others, is that you have land that is vulnerable and your interest is the community interest. He said you have to be careful not to disturb any environmental asset.

Mr. Granirer discussed the R-160 zoning in detail. He said we have had a kind of inconsistency and so there has been a big debate which has gone on for years about what is the right ratio for the deduction for the defective land. He said we should settle for the 50%. If you are going to take a deduction for certain lands that you consider environmentally defective then you really must not allow the building to go on the land that you call defective. Mr. Granirer said someone had mentioned that in California they build on those steep slopes - why can't we? They were looking at the engineering issue and not the environmental one. That is a common problem. You can engineer anything. The purpose is what you have to look at.

Mr. Granirer said a drawback in having the exceptions is that if you allow land that is presumably environmentally unsuitable for bulk to be built upon, you have created the opening for the kind of law suit that will overturn the whole ordinance. He urged the Town Board to adopt what you have been handed with the corrections he has suggested.

Appearance: Mr. Les Bollman, Director  
Department of Environmental Control  
Town of Clarkstown

Mr. Bollman said some of the things here are good but some of them could be a nightmare to enforce or even give an answer on. He said he hoped that before the Town Board would adopt that at least you require, as a minimum, comments on each item in detail from his department and the Building Department. He pointed out that Mr. Booth said if you have a two acre or one acre piece with PH 30% slopes and you wanted to build on it you would have to double - it. He said if you read three paragraphs up from the bottom you can

Continued on Next Page

Amendment to Zoning Ordinance (Slopes, Wetlands, etc.)  
Page 3

never build on that piece because you can never get the bulk under the next lower zone. He said he did not know if that was the Town Board's intent. He said he does not completely agree with some of the things that Mr. Granirer said. He said a lot of the R-80 and R-160 is overkill. However, a lot of it has merit when you get down to the R-15 and the R-22 but he would hope that the Town Board would require comments from his department before a decision is reached.

Appearance: Mr. Greg Miller  
Nyack

Mr. Miller said he was the owner of property on Mountainview Avenue which right now is 4 acre zoning. He mentioned that most of the properties in his area come under the R-160 zoning. Most of the land is rock and by enacting this law you are actually saying you need 8 acres. He did not see anything wrong with building on rock. He did not think it would affect the environment. He said he is looking to build a house there right now and he did not think it was fair. Four acres is a lot of land and is keeping the area very rural. He wanted to know what environmental impact it would have to build on rock?

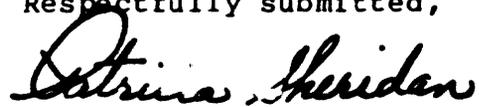
Appearance: Mr. Martin Bernstein  
20 Woodglen Drive  
New City, New York

Mr. Bernstein said the ordinance makes believe that because there are rock formations or water that in effect this creates a bad environment. He said many people find those homes built on slopes or rock outcroppings desirable. He said we should provide the opportunity to keep the rock formations and wet areas but use these areas to the advantage of the community.

Mr. Bernstein asked what density has to do with this whole problem to begin with? He said slopes should be reevaluated and possibly provide the opportunity for density. He did not think the R-160 was proper zoning either. Along South Mountain Road it wasn't for all the land, it was for certain land. Some people kept their land at 2 acre zoning and some had 4 acre zoning and he never understood that. The 160,000 - 4 acre zoning - did not create any pluses for this town.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted the Public Hearing was recessed and the proposal rereferred back to the Planning Board, the Building Inspector and the Department of Environmental Control, time: 10:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

4/11/89

10:21

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

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

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

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

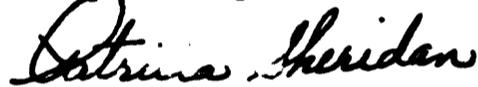
No one appeared.

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

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing was declared closed, ORDER SIGNED, time: 10:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk