

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

6/27/89

8:15 P.M.

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

Supervisor declared the Town Board meeting open.

Supervisor stated that the first order of business this evening would be a promotional ceremony for the Clarkstown Police Department. The color guard presented the Flag and Chief of Police William Collins led the salute.

Detective David Wedlick gave the introduction and welcome. He stated that the administration of oaths and the presentation of badges would be made by Chief Collins and Councilman John Maloney, Police Commissioner.

Police Officer Timothy O'Neill was promoted to Sergeant. His wife presented his badge and stripes. He was sworn in by Police Commissioner John Maloney.

Detective Lawrence Kilduff was promoted to Sergeant. His wife presented his badge and stripes. He was sworn in by Police Commissioner John Maloney.

Investigator Richard Murphy (Special Investigation Unit) was promoted to Detective. His wife presented his badge. He was sworn in by Police Commissioner John Maloney.

Police Officer Stephen Cole-Hatchard was promoted to Detective. His wife presented his badge. He was sworn in by Police Commissioner John Maloney.

Chief Collins then gave his congratulations to the men promoted and their families. He said he knew the Town was very proud of them and he knew he would continue to do their very best.

Detective Christopher Goodyear, President of the Clarkstown PBA stated that on behalf of their 135 brother and sister officers he congratulated the officers promoted. He stated that their families have been the wind beneath the wings of these men and have seen them soar to a higher rank. He saluted the men and their families and asked God to bless them.

Councilman William J. Carey, Police Commissioner stated: "On behalf of the Police Commission and the Town Board I wish to congratulate the officers and their families. Tonight's ceremony recognizes your outstanding ability and dedication to the selfless profession you have chosen. Your promotion is the recognition of the community attesting to your outstanding service to them. With this promotion comes the additional duties and responsibilities that will continue to test your character as you move into a leadership role. Move ahead with great expectation and continue to contribute the best you have to give. I salute you and I join with your families and fellow officers in wishing you well. God bless you."

Supervisor said on behalf of the Town Board he wanted to congratulate the officers and their families and to say that the Town of Clarkstown is very proud of our police department. He commended Chief Collins and his staff for a job well done.

Supervisor then stated that they wanted to recognize a citizen of the Town of Clarkstown for his efforts in the saving of a young woman's life in an accident on the Tappan Zee Bridge about a month ago. He said he was proud to know Al Maroni long before he became a hero. He said Al was an employee of our Recreation

Continued on Next Page

Department. He was on the spot on the Tappan Zee Bridge when another human being needed assistance. He said we are proud to have him as a resident of the Town of Clarkstown and he was proud to know him personally. He presented a Certificate of Recognition to Mr. Maroni for his heroic efforts in saving the life of a young woman.

Mr. Maroni thanked the Supervisor and the members of the Town Board. As an alumnus of Town Hall he was particularly proud to be honored here. He extended his thanks to the Clarkstown Police Department for their outpouring of thanks. He said he was sure that any one of them would have done the same for himself or his wife. He wished Debbie Quinn (the injured woman) the best.

Chief Collins thanked Mr. Maroni and said he hoped that all of his officers would rise to the same heights to which Mr. Maroni did in this situation. He said it just so happened that the woman Mr. Maroni saved was the wife of one of our own Officers. He called his Officers to attention to give Mr. Maroni the salute he so richly deserved.

Councilwoman Smith said she is always very proud to see Police Department ceremonies because she is one of them. She said tonight was especially meaningful because Chief Collins asked all of the officers to stay to show their appreciation to our own Al Maroni. She noted that Al Maroni had acknowledged in the newspapers all that his own wife had done out there on the road. When we did find out that it was the wife of one of our own policemen it was that much more meaningful. She said what you see and feel that exists in Clarkstown is a real bond between all of us and she was very proud to be a part of it.

The Color Guard retired the colors.

\*\*\*\*\*

Supervisor then read the following proclamation:

RECREATION AND PARKS MONTH  
JULY - 1989

- WHEREAS, the Town of Clarkstown has numerous programs and facilities of which its residents may take advantage; and
- WHEREAS, suitable and positive leisure experiences are vital to good physical and mental health and enhance the quality of life for all people; and
- WHEREAS, all citizens can enjoy self renewal in the out-of-doors through green spaces and facilities in parks; and
- WHEREAS, all citizens can fulfill their potential in the use of their leisure time through the varied individual and group opportunities provided by recreation; and
- WHEREAS, the Town of Clarkstown recognizes the efforts of both professional and volunteer recreation and park workers who have enhanced the services available to Clarkstown residents;

NOW THEREFORE, BE IT RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on this 27th day of June, 1989, do hereby proclaim the month of JULY, 1989 "RECREATION AND PARKS MONTH" in the Town of Clarkstown and urge all our residents to join with us in participating in the special events scheduled for JULY.

IN WITNESS WHEREOF I HEREUNTO SET MY  
HAND AND CAUSE THE SEAL OF THE TOWN  
OF CLARKSTOWN TO BE AFFIXED THIS 27TH  
DAY OF JUNE, 1989.

/s/ Charles E. Holbrook  
CHARLES E. HOLBROOK, Supervisor

/s/ William J. Carey  
WILLIAM J. CAREY, Councilman

/s/ Stephen C. Kunis  
STEPHEN C. KUNIS, Councilman

/s/ John R. Maloney  
JOHN R. MALONEY, Councilman

(SEAL)

/s/ Ann Marie Smith  
ANN MARIE SMITH, Councilwoman

Supervisor presented this proclamation to Mr. Edward Ghiazza, Superintendent of Recreation and Parks.

\*\*\*\*\*

Supervisor declared Public Portion of the meeting open.

Appearance: Mr. Joseph Pantano  
South Little Tor Road  
New City, New York 10956

Mr. Pantano stated that he was representing himself and the Committee for Responsible Government. He spoke in opposition to the proposed zone change at Burda Lane and North Middletown Road (Exit 10 of the Palisades Parkway) citing severe traffic problems, drainage problems, and possible domino effect if the change were granted.

Appearance: Mr. George Zuckerman, President  
Normandy Village Tenants Association

Mr. Zuckerman spoke regarding the tenants in Buckingham Gardens Apartments. He said they are getting a revocation of the increase in rents which was given to the landlord by the Chairman of the Town Board, Mr. Holbrook, who took it upon himself, without consulting the rest of the Town Board, to give the increase to that landlord. He said he did not know Councilman Carey's position on this but he wanted to thank Steve Kunis, John Maloney and Ann Marie Smith, who seriously considered the situation. They went down to the property itself and saw that the increase was unjustified. He stated that Councilman Maloney had told him that the tenants are receiving what they requested.

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

Mr. Lodico spoke regarding the proposed down zoning of the Airport Executive Park property for 414 condominium units. He said he was surprised that, according to the newspaper, John Maloney, who, after 15 years of being liaison to the Commercial Industrial Development Committee, would consider supporting this zone change. He said affordable housing units is a myth in this part of the state. The cost of living in this area, and the taxes required in this Town especially, are such that there is no such thing as affordable housing unless the Federal Government subsidizes it. He feels that this size project is totally unacceptable in the interests of all of the taxpayers in Clarkstown. He hoped that this Board would oppose it when the issue comes before it as this is not in the best interests of this Town.

Continued on Next Page

Appearance: Donald S. Tracy, Esq.

Mr. Tracy stated that with regard to remarks made by Mr. Lodico, they had spent \$575,000.00 on FEIS and it is apparanent that Mr. Lodico did not read them. He said this is not a down zoning. It is an up zoning from PED and LIO to MF-2 and PED. He said there are still 550,000 square feet of PED lands to be developed. The property was broken down so that it creates a density of 8.1 units per acre for the MF-2 portion. That is almost MF-1 zoning. It was broken down this way to accommodate the traffic and to present the highest tax base. Those materials have been here in Town Hall and available for anyone to read. He stated that if Mr. Lodico had read them he might have changed his opinion on some of the remarks he made.

Mr. Tracy said with regard to affordable housing the number is 22 units and under state guidelines and SUNYMAE guildelines the price of the units which we would be willing to covenant to are termed affordable regardless of the area in which they are located.

Appearance: Mr. Bruce Cohen  
277 Treetop Circle  
Treetops Condominiums

Mr. Cohen said he agreed with Mr. Tracy and disagreed with Mr. Lodico. He said we all have had dreams that our LIO properties were going to attract a NYNEX or an IBM or a XEROX. He said that is not going to happen anymore. He discussed at length what has been going on in the area, in particular an auto business which has caused the residents much distress, and what we can expect for the area under existing zoning. Mrs. Saccende, Code Enforcer for the Town of Clarkstown, stated that the business to which Mr. Cohen referred was presently in court as the Town is very much aware of its illegal nature. Mr. Cohen mentioned the benefits of a new road. He said that he was very much in favor of the zone change because the alternative is a lot worse than more condominiums.

Appearance: Mr. Joe Olbermann  
165 Treetops Circle

Mr. Olbermann referred to the 22 "affordable units" saying these were supposedly going to be for our young people and to help keep our volunteer firemen in Rockland. We have no guarantee that these 22 units would be sold only to Rockland residents to begin with but he said John Knutsen in Vista still has about 27 units available (for about the last two years) for \$132,000.00. He did not think that the idea of 22 affordable units should be used as any sort of a criteria for a vote for a change of zoning.

Appearance: Mr. Armand Miele  
119 Main Street  
Nanuet, New York

Mr. Miele said the law of supply and demand works. He thinks housing is fantastic. He said if you want affordable rents you should have as much housing as possible. You'll get all the affordable rents you can handle. He said the more places you have for sale the more affordable they become and he urged the Board to approve this zone change.

In response to a question from the audience regarding Buckingham Gardens, Councilman Maloney said there was a resolution on the agenda instructing Mr. Levy to abide by the contract that was entered into with the Town Board by all the landlords in the Town of Clarkstown and that he was not exempt from that. He had to abide by the 5-1/2%, 5-1/2% and 5-1/4%. Councilman Maloney said that in talking to Mr. Levy today, the Supervisor got him to agree to everything that was in the resolution. Mr. Levy will not enforce

Continued on Next Page

the 2-1/2% increase he sought. He will give back the monies that have been taken from those tenants who signed the agreement and any people who have entered into a lease affecting that 2-1/2% - that lease will be void. Everything is now back where it was in the past. You will not be paying anymore than what was agreed upon in the contract entered by the Town Board. Councilman Maloney said it was his understanding that Mr. Levy will continue to improve the apartments because many things have to be improved, as he indicated, and then at such time in the future, when he has made those improvements to the satisfaction of the people, he may come back and ask for some consideration. Right now he is not entitled to the 2-1/2% increase and anyone who paid that increase will receive a rebate.

Supervisor said Councilman Maloney was correct and the method of dealing with a rebate would be that they could deduct 2-1/2% for each of the months in which they paid that increase. It will be a credit. Councilman Maloney said the message is clear. He said Mr. Levy should have been aware when he bought the property that there was an agreement by the former owner to agree to the stipulations entered into by the Town of Clarkstown. Therefore, the tenants will not be paying anymore than they have been paying.

\*\*\*\*\*

RESOLUTION NO. (597-1989)

ACCEPTING DEED FROM NEW YORK STATE DEPARTMENT OF TRANSPORTATION (REAL ESTATE DIVISION) FOR PURPOSES OF HIGHWAY SYSTEM - MAP 163, BLOCK C, LOT 225 AND MAP 110, BLOCK C, LOT 118

Co. Maloney offered the following resolution:

RESOLVED, that deed dated May 25, 1989, from The People of the State of New York, acting by and through their Commissioner of Transportation, Franklin E. White, by Daniel J. Gurnett, Director of the Real Estate Division of the Department of Transportation, to the Town of Clarkstown, for purposes connected with the highway system of the state for certain real property in the Town of Clarkstown designated as Map 163-C-225 (Surplus Property 08-III-6012) and Map 110-C-118 (Surplus Property 08-III-6012) is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (598-1989)

AUTHORIZING RENEWAL OF AGREEMENT WITH NEW YORK STATE THRUWAY AUTHORITY FOR USE OF CLARKSTOWN SANITARY LANDFILL

Co. Carey offered the following resolution:

WHEREAS, the New York State Thruway Authority has an agreement with the Town which provides for use of the Clarkstown Sanitary Landfill for the period beginning May 17, 1988 and ending on May 16, 1989, and

RESOLUTION NO. (598-1989) Continued

WHEREAS, the Town Board is willing to renew said agreement with the provision that the New York State Thruway Authority pays an additional fee for the disposal of its tires at the Clarkstown Sanitary Landfill at the rate required by the Town;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized, on behalf of the Town of Clarkstown, to enter into an agreement with the New York State Thruway Authority to provide for the use of the Clarkstown Sanitary Landfill for a one year period commencing May 17, 1989 and terminating on May 16, 1990, upon payment of the sum of not less than \$5,000.00, and be it

FURTHER RESOLVED, that the New York State Thruway Authority pays an additional fee for the disposal of its tires at the Clarkstown Sanitary Landfill at the rate required by the Town, and be it

FURTHER RESOLVED, that in the event the Clarkstown Sanitary Landfill is closed prior to the termination of this agreement, the agreement will be automatically terminated on such closure.

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. (599-1989)

AUTHORIZING MEMBERSHIP IN  
NEW YORK STATE PUBLIC  
SECTOR COALITION ON HEALTH  
BENEFITS

Co. Maloney offered the following resolution:

WHEREAS, a consortium of representatives of labor and management has formed a coalition to serve as a clearing house for health benefits information.

The coalition provides research data on employees' health care plans and delivery systems and serves as a voice for public sector interests within the health care delivery industry and the legislature,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to apply to the New York State Public Sector Coalition on Health Benefits, Albany, New York at the annual membership fee of \$150, commencing July 1, 1989.

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. (600-1989)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH JOHN COLLINS ENGINEERS, P.C. WITH RESPECT TO PROPOSED ROAD ACCESS AND OFFSITE ROADWAY IMPROVEMENTS TO ROCKLAND SHOPPING CENTER AND CALDOR'S PROPERTY, NANUET - CHARGE TO ACCOUNT NO. A 1420-409

Co. Carey offered the following resolution:

WHEREAS, John Collins Engineers, P.C. has submitted a proposal dated May 17, 1989, to provide the Town of Clarkstown with engineering services with respect to the proposed road access and offsite roadway improvements to the Rockland Shopping Center and to the Caldors' property, Route 59, Nanuet, New York, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with John Collins Engineers, P.C., to provide for said services, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the sum of \$23,000.00 is hereby appropriated to pay for said engineering services, which fee shall be charged to Account No. A-1420-409.

(Supervisor noted that the people along the shopping centers will pay for the hard course. The Town will be reimbursed for the \$23,000.00 from the State from member's funds the next year.)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (601-1989)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE DRAINAGE WORK - VICINITY OF LOTS 71-A-2.10, 2.11, 2.12, 2.13, AND 2.14, WEST NYACK - CHARGE TO CAPITAL FUND #2

Co. Maloney offered the following resolution:

WHEREAS, an adverse drainage condition exists in the vicinity of Lots 71 A 2.10, 2.11, 2.12, 2.13, 2.14, West Nyack, New York; and

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

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways be authorized to perform corrective drainage work in the vicinity of

Continued on Next Page

RESOLUTION NO. (601-1989) Continued

Lots 71 A 2.10, 2.11, 2.12, 2.13, and 2.14, West Nyack, New York, in accordance with the recommendations prepared by the Department of Environmental Control for a sum not to exceed \$5,000; and be it

FURTHER RESOLVED, that the Superintendent of Highways is authorized to hire the necessary equipment to accomplish this corrective drainage work and to supply the necessary supervision; and be it

FURTHER RESOLVED, that this amount be a proper charge of Capital Fund #2.

Seconded by Co. Carey

On roll call the vote was as follows:

(Councilman Kunis noted that the two proposals submitted for this work be given to the Town Clerk as part of the official record.)

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

\*\*\*\*\*

RESOLUTION NO. (602-1989)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PERFORM CORRECTIVE EROSION WORK ON TOWN EASEMENT - VICINITY OF LOT 78 A 18.52, NEW CITY - CHARGE TO CAPITAL FUND #2

Co. Carey offered the following resolution:

WHEREAS, an adverse erosion condition exists along a Town Easement in the vicinity of Lot A 18.52, New City, New York; and

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

NOW, THEREFORE, be it

RESOLVED, that the Superintendent of Highways be authorized to perform corrective erosion work in the vicinity of Lot 78 A 18.52, New City, New York, in accordance with the recommendations prepared by the Department of Environmental Control for a sum not to exceed \$6,000; and be it

FURTHER RESOLVED, that the Superintendent of Highways is authorized to hire the necessary equipment to accomplish this corrective drainage work and to supply the necessary supervision; and be it

FURTHER RESOLVED, that this amount be a proper charge of Capital Fund # 2.

Seconded by Co. Maloney

(Councilman Kunis said as with the preceding resolution he would like both proposals to be made part of the official record of tonight's meeting.)

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (602-1989) Continued

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

\*\*\*\*\*

RESOLUTION NO. (603-1989)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL SIGNS "NO TRUCKS OVER 4 TONS ON OLD MILL ROAD EXCEPT FOR LOCAL DELIVERIES" (AT SNAKE HILL ROAD, CRUSHER ROAD, AND OPPOSITE NEW BRIDGE NORTHSIDE OF OLD MILL ROAD, WEST NYACK)

Co. Smith 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:

"NO TRUCKS OVER 4 TONS ON OLD MILL ROAD EXCEPT FOR LOCAL DELIVERIES"

to be erected:

On Snake Hill Road, 100 feet east of intersection of Crusher Road,  
On Crusher Road, 20 feet north from intersection of Snake Hill Road,  
Opposite the new bridge on the north side of Old Mill Road, West Nyack, New York

and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

(Councilman Kunis asked how this would affect Palisades Center people if they are going to remove crushed stone from the mountain. Supervisor said he had no idea but it is the concern of Lone Star that we don't prohibit trucks from using Crusher Road because that would put them out of business.)

\*\*\*\*\*

RESOLUTION NO. (604-1989)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO EXTEND "NO PARKING" SIGNS SOUTH SIDE OF ACCESS ROAD COMING OFF OF NYS ROUTE 59, WEST NYACK

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (604-1989) Continued

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

"NO PARKING" signs on the south side of the access road, coming off of NYS Rte 59, West Nyack from where the signs exist, easterly to the concrete curb.

and be it

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

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (605-1989)

ACCEPTING DEED FOR ROAD  
WIDENING PURPOSES ALONG  
WEST SIDE OF SOUTH MAIN  
STREET, NEW CITY (HIGGINS  
FUNERAL SERVICE, INC.)

Co. Carey offered the following resolution:

WHEREAS, as a condition to the approval of the "Site Development Plan for Higgins Funeral Service, Inc.", more particularly designated on the Tax Map as Map 56, Block A, Lot 6, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along South Main Street, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control, deed dated May 17, 1989, from Michael J. Higgins and Dorothy M. Higgins gratuitously conveying a strip of land along the west side of South Main Street, New City, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (606-1989)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AN AGREEMENT  
WITH MEALS ON WHEELS OF  
ROCKLAND COUNTY INC. FOR  
ECONOMIC ASSSISTANCE FOR  
1989

RESOLUTION NO. (606-1989) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with Meals on Wheels of Rockland County Inc., in a form approved by the Town Attorney, which organization provides a program to residents of the Town of Clarkstown which is deemed beneficial to the residents, and be it

FURTHER RESOLVED, that the Town Board hereby appropriates the sum of \$10,000.00 in economic assistance to Meals on Wheels of Rockland County, Inc. for the calendar year 1989.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (607-1989)

REQUESTING METRO-NORTH  
COMMUTER RAILROAD TO  
INCLUDE NEW COMMUTER  
PARKING FACILITY AT THE  
NANUET RAILROAD STATION OF  
THE PASCACK VALLEY LINE IN  
THE MTA PARKING PROGRAM

Co. Kunis offered the following resolution:

WHEREAS, the County Executive has proposed to develop a new commuter parking lot adjacent to the Metro-North Commuter Railroad Station in Nanuet, New York, and

WHEREAS, this proposed project would provide parking for approximately 280 additional cars in a convenient park-and-ride lot, and

WHEREAS, construction of the commuter parking lot would attract more people to the use of mass transit, thus alleviating congestion on our roadways, and

WHEREAS, the Rockland County Department of Public Transportation has submitted a proposal to the Metro-North Commuter Railroad to have this project included in the MTA parking program, and

WHEREAS, this project would be of great benefit to the residents of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown herein states its support for a new parking facility at the Nanuet Railroad Station of the Pascack Valley Line of the Metro-North Commuter Railroad and further resolves that the Town of Clarkstown will assume responsibility for management, operation and maintenance of the parking facility upon completion, and requests that the Metro-North Commuter Railroad take all necessary steps for prompt approval of this project.

Seconded by Supv. Holbrook

Continued on Next Page

RESOLUTION NO. (607-1989) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (608-1989)

DENYING PETITION OF 303-9W  
CO. FOR SPECIAL PERMIT TO  
CONDUCT LANDFILL OPERATION  
(MAP 129, BLOCK A, LOT 21,  
CONGERS)

Co. Kunis offered the following resolution:

WHEREAS, 303-9W Co., has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the operation of a landfill pursuant to the provisions of Section 106-10A, Table 14, Column 13, Item B-3 of the Zoning Ordinance of the Town of Clarkstown for property located on the north and east sides of Route 9W and Route 303, Congers, New York, more particularly described on the Clarkstown Tax Map as: Map 129, Block A, Lot 21, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the 13th day on June, 1989 at 8:00 P.M., to consider such application;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Town Board DENIES the petition of 303-9W CO. for a Special Permit to conduct a landfill operation.

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (609-1989)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT WITH  
CARPENTER ENVIRONMENTAL  
ASSOCIATES, INC. (LAKE  
LUCILLE AQUATIC DISTRICT)  
CHARGE TO ACCOUNT NO. H  
5110-08-409

Co. Carey offered the following resolution:

WHEREAS, Carpenter Environmental Associates, Inc. has submitted a proposal dated June 1, 1989, to provide the Town of Clarkstown with a report, map and plan regarding the proposed Lake Lucille Aquatic District, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (609-1989) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Carpenter Environmental Associates, Inc., in a form satisfactory to the Town Attorney to provide for said services, and be it

FURTHER RESOLVED, that the sum of \$43,308.00 is hereby appropriated to pay for said services, which fee shall be charged to Account No. H-5110-08-409.

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. (610-1989)

AWARDING BID FOR BID  
#49-1989 - RIVETED  
CORRUGATED STEEL CULVERT  
PIPE (CAPITOL HIGHWAY  
MATERIALS)

Co. Maloney offered the following resolution:

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

BID #49-1989  
RIVETED CORRUGATED STEEL CULVERT PIPE

is hereby awarded to

CAPITOL HIGHWAY MATERIALS  
ROUTE 6  
BALDWIN PLACE, NEW YORK 10505  
PRINCIPALS:  
MARK ABRAMS  
N. KAROGLANIAN  
V. PAIS  
S. BHATTACHARJI

as per attached schedule of items/prices

(Schedule of Items/Prices on file in Town Clerk's Office)

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (611-1989)

AWARDING BID FOR BID  
#48-1989 - HELICALLY  
CORRUGATED STEEL CULVERT  
PIPE (BRIGHTON STEEL

RESOLUTION NO. (611-1989) Continued      COMPANY AND CHEMUNG SUPPLY  
CORP.)

Co. Maloney offered the following resolution:

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

BID #48-1989  
HELICALLY CORRUGATED STEEL CULVERT PIPE

is hereby awarded to

BRIGHTON STEEL COMPANY  
ROUTE 52  
HOPEWELL JUNCTION, N.Y. 12533  
PRINCIPAL: LOUIS DAVIDSON

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, NEW YORK 14902  
PRINCIPALS: HERMAN WARSHAW  
MYRA S. STEMERMAN  
SUZANN SUNA

as per attached schedule of items/prices.

(Schedule of items/prices on file in Town Clerk's Office)

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (612-1989)      AWARDING BID FOR BID  
#50-1989 - ALUMINIZED STEEL  
TYPE 2 CULVERT PIPE  
(EXPANDED SUPPLY PRODUCTS,  
CAPITOL HIGHWAY MATERIAL  
AND CHEMUNG SUPPLY CORP.)

Co. Maloney offered the following resolution:

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

BID #50-1989  
ALUMINIZED STEEL TYPE 2 CULVERT PIPE

is hereby awarded to

EXPANDED SUPPLY PRODUCTS  
VAN WYCK LANE  
WAPPINGERS FALLS, NY 12590  
PRINCIPALS: BRUCE KEHR

DONNA KEHR

CAPITOL HIGHWAY MATERIAL  
ROUTE 6  
BALDWIN PLACE, NY 10505  
PRINCIPALS: MARK ABRAMS  
N. KAROGLANIAN  
V. PAIS  
S. BHATTACHARJI

CHEMUNG SUPPLY CORP.  
PO BOX 527  
ELMIRA NY 14902  
PRINCIPALS: HERMAN WARSHAW  
MYRA S. STEMERMAN  
SUZANN SUNA

as per the attached price/item schedule

(Price/Item Schedule on File in Town Clerk's Office)

Seconded by Co. Carey

RESOLUTION NO. (612-1989) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (613-1989)

AWARDING BID FOR BID  
#51-1989 - POLYETHYLENE  
CULVERT PIPE (CHEMUNG  
SUPPLY CORP., EXPANDED  
SUPPLY PRODUCTS,  
PROGRESSIVE BRICK COMPANY,  
INC.)

Co. Maloney offered the following resolution:

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

BID #51-1989  
POLYETHYLENE CULVERT PIPE

is hereby awarded to

CHEMUNG SUPPLY CORP.  
P.O. BOX 527  
ELMIRA, N.Y. 14902  
PRINCIPAL: JERALD M. STEMERMAN

EXPANDED SUPPLY PRODUCTS  
VAN WYCK LANE  
WAPPINGERS FALLS, N.Y. 12590  
PRINCIPAL: BRUCE KEHR

PROGRESSIVE BRICK COMPANY INC.  
ROUTE 17 & FRANKLIN AVENUE  
HASBROUCK HEIGHTS, N.J. 07604  
PRINCIPAL: RICHARD SCHULTZ

as per the attached schedule of items/prices attached

(Schedule of items/prices on file in Town Clerk's Office)

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (614-1989)

AWARDING BID FOR BID  
#45-1989 - SUCTION SWEEPER  
FOR UNIMOG U900 (RALPH C.  
HERMAN CO.)

Co. Maloney offered the following resolution:

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

BID #45-1989  
SUCTION SWEEPER FOR UNIMOG U900

is hereby awarded to

Continued on Next Page



RESOLUTION NO. (616-1989) Continued

Subdivision of Property for Hutton 59 Corporation, Town of Clarkstown, Rockland County, New York, dated February 10, 1989, last revised May 18, 1989, prepared by Atzl & Scatassa, P.C., for property located on Hutton Avenue, Nanuet, New York, has made application for use of Town Law Section 281 in connection with said subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended approval of the use of Town Law Section 281 in connection with this subdivision because the density layout provides for improved lot design, placing the homes away from the railroad tracks, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 authorization is granted for the development of the property shown on such proposed density map entitled, "Density Layout, T.M.B.L. 163-A-11, Subdivision of Property for Hutton 59 Corporation, Town of Clarkstown, Rockland County, New York, dated February 10, 1989, last revised May 18, 1989," prepared by Atzl & Scatassa, P.C., Surveyor-Planners, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 for the proposed subdivision described above subject to the applicant complying with all rules, regulations and requirements of law, and requirements of the Clarkstown Planning Board and not inconsistent with the plan depicted on aforesaid proposed subdivision map.

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (617-1989)

DECREASING CONTINGENCY  
ACCOUNT NO. A 1990-505 AND  
INCREASING APPROPRIATION  
ACCOUNT NO. A 8160-413

Co. Maloney offered the following resolution:

WHEREAS, it is necessary for the Town of Clarkstown to have soil delivered to the Sanitary Landfill for cover,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990-505 and increase Appropriation Account No. A 8160-413 by \$50,000.00.

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. (618-1989)

ACCEPTING DEEDS FOR ROAD  
WIDENING PURPOSES ALONG  
ROCKLAND LAKE ROAD, VALLEY  
COTTAGE FROM RIX AND  
DIVERSIFIED RECOVERY CORP.  
(MARIANNE HILL SUBDIVISION)

Co. Maloney offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as MARIANNE HILL, the Planning Board of the Town of Clarkstown requested deeds for road widening purposes along Rockland Lake Road, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, deed dated August 18, 1988, from Leon Luther Rix and Ellen Nola Rix, and deed dated June 5, 1989, from Diversified Recovery Corp. gratuitously conveying a strip of land along Rockland Lake Road, Valley Cottage, New York, are hereby accepted and ordered recorded in the Rockland County Clerk's Office.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (619-1989)

RESCINDING RESOLUTION  
#535-1989 AND AUTHORIZING  
DIRECTOR OF PURCHASING TO  
READVERTISE FOR BIDS FOR  
BID #42A-1989 - PRINTING/  
BINDING OF BICENTENNIAL  
CEMETERIES BOOK

Co. Carey offered the following resolution:

RESOLVED, that Town Board Resolution #535-1989 is hereby rescinded, and be it

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

BID #42-1989  
PRINTING/BINDING  
OF BICENTENNIAL CEMETERIES BOOK

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, July 13, 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. 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. (620-1989)

AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #56-1989 - ONE  
FOUR WHEEL, TWO PASSENGER  
TURF VEHICLE WITH  
ATTACHMENTS

Co. Carey offered the following resolution:

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

BID #56-1989  
ONE - FOUR WHEEL, TWO PASSENGER  
TURF VEHICLE WITH ATTACHMENTS

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, July  
14, 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. 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. (621-1989)

CORRECTING TOWN BOARD  
RESOLUTION #389 AND  
AUTHORIZING DIRECTOR OF  
PURCHASING TO ADVERTISE FOR  
BIDS FOR BID #40-1989 -  
TIRES/TUBES AND RELATED  
WHEEL SERVICES

Co. Carey offered the following resolution:

RESOLVED, that Town Board Resolution #389 is hereby  
corrected to read

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

BID #40-1989  
TIRES/TUBES AND RELATED WHEEL SERVICES

bids to be returnable to the Office of the Director of Purchasing,  
10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, July  
17, 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. 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. (622-1989)

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

Co. Smith offered the following resolution:

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

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

Long Clove Road, New City  
Install: 4 - 5800 Lumen sodium vapor street  
lights on Laminated Wood Poles  
Install: 1 - 5800 Lumen sodium vapor street  
light on Laminated Wood Pole  
Increase to the Town: \$651.72 plus E.F.C.  
Annual Charges: \$122.40 x 4 units = \$489.60  
\$162.12 x 1 unit = \$162.12

Seconded by Co. Kunis

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (623-1989)

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

Co. Smith offered the following resolution:

WHEREAS, the West Nyack Rotary Club and the Boy Scouts have refurbished the West Nyack Rotary Park located in the area of Route 59 and West Nyack Way, West Nyack, by installing a new flag pole, planters, and a "Welcome to West Nyack" sign, and

WHEREAS, the West Nyack Rotary Club has requested the Town of Clarkstown to provide street lighting in the area of the West Nyack Rotary Park as a deterrent to vandalism,

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendation of Patricia A. Betz, Utility Services Coordinator, the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated April 26, 1989 for street lighting at the following locations:

West Nyack Way                      West Nyack  
(1-22500 lumen mercury vapor floodlight)

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (623-1989) Continued

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

\*\*\*\*\*

RESOLUTION NO. (624-1989)

APPOINTING TO POSITION OF  
LABORER (TEMPORARY) -  
SANITARY LANDFILL (DAVID  
HETHERINGTON)

Co. Maloney offered the following resolution:

RESOLVED, that David Hetherington, 3 Hall Avenue, New City, New York, is hereby appointed to the position of Laborer (temporary) - Sanitary Landfill - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination - at the current 1989 annual salary of \$17,444., effective and retroactive to June 19, 1989.

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. (625-1989)

APPOINTING TO POSITION OF  
LABORER (TEMPORARY) -  
SANITARY LANDFILL (STEPHEN  
CUCUZZA)

Co. Maloney offered the following resolution:

RESOLVED, that Stephen Cucuzza, 3 Appleton Road, New City, New York, is hereby appointed to the position of Laborer (temporary) - Sanitary Landfill - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination - at the current 1989 annual salary of \$17,444., effective and retroactive to June 21, 1989.

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. (626-1989)

APPOINTING TO POSITION OF  
LABORER (TEMPORARY) -  
SANITARY LANDFILL (DAVID  
GERLACH)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (626-1989) Continued

RESOLVED, that David Gerlach, 61 Germonds Road, New City, New York, is hereby appointed to the position of Laborer (temporary) - Sanitary Landfill - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination - at the current 1989 annual salary of \$17,444., effective July 3, 1989.

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. (627-1989)

APPOINTING TO POSITION OF  
WEIGHER - SANITARY LANDFILL  
(COLUMBUS BOWDEN)

Co. Maloney offered the following resolution:

RESOLVED, that Columbus Bowden, 6 Duane Avenue, New City, New York, is hereby appointed to the position of Weigher - Sanitary Landfill - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination - at the current 1989 annual salary of \$16,013., effective and retroactive to June 26, 1989.

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. (628-1989)

RECOGNIZING APPOINTMENT BY  
SUPERINTENDENT OF HIGHWAYS  
TO POSITION OF MOTOR  
EQUIPMENT OPERATOR I -  
HIGHWAY DEPARTMENT (ROBERT  
KAMINSKI)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Robert Kaminski, 7 Scarlett Court, New City, New York (Apartment 14) to the position of Motor Equipment Operator I - Highway Department - at the current 1989 annual salary of \$21,150., effective and retroactive to June 26, 1989.

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. (629-1989)

RECOGNIZING APPOINTMENT BY  
SUPERINTENDENT OF HIGHWAYS  
TO POSITION OF MOTOR  
EQUIPMENT OPERATOR II -  
HIGHWAY DEPARTMENT (CRAIG  
ALEMI)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Craig Alemi, 76 Church Street, Nanuet, New York, to the position of Motor Equipment Operator II - Highway Department - at the current 1989 annual salary of \$23,079., effective and retroactive to June 26, 1989.

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. (630-1989)

ACCEPTING RESIGNATION OF  
BUS DRIVER - MINI TRANS  
DEPARTMENT (ARTHUR BARRUS)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Arthur Barrus, 31 James Street, New City, New York - Bus Driver - Mini Trans Department - is hereby accepted - effective July 2, 1989.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (631-1989)

RECOGNIZING APPOINTMENT BY  
SUPERINTENDENT OF HIGHWAYS  
OF LABORER - HIGHWAY  
DEPARTMENT (ARTHUR BARRUS)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Arthur Barrus, 31 James Street, New City, New York, as a Laborer - Highway Department - at the current 1989 annual salary of \$24,114., effective July 3, 1989.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (632-1989)

APPOINTING TO POSITION OF  
(PART-TIME) BUS DRIVER -  
MINI TRANS DEPARTMENT  
(ANDRE ALEXANDRE)

Co. Maloney offered the following resolution:

RESOLVED, that Andre Alexandre, 7 Murin Street, Spring Valley, New York, is hereby appointed to the position of (part-time) Bus Driver - Mini Trans Department - at the current 1989 hourly rate of \$8.72, effective July 3, 1989 - for a period not to exceed 30 days - pending completion of a satisfactory pre-employment physical examination.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (633-1989)

APPOINTING TO POSITION OF  
PART-TIME BUS DRIVER - MINI  
TRANS DEPARTMENT (MERGHAM  
FERDINAND)

Co. Maloney offered the following resolution:

RESOLVED, that Mergham Ferdinand, 5 First Street, Central Nyack, New York, is hereby appointed to the position of part-time Bus Driver - Mini Trans Department - at the current 1989 hourly rate of \$8.72, effective July 3, 1989.

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. (634-1989)

GRANTING EXTENSION OF SICK  
LEAVE OF ABSENCE TO ALBERT  
CHIANESE - PARKS BOARD AND  
RECREATION COMMISSION

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII, Section 3 (k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Albert Chianese, 196 North Middletown Road, Nanuet, New York - Custodian II - Parks Board and Recreation Commission - is hereby granted an extension of his Sick Leave of Absence - at one half pay - effective July 7, 1989 to August 7, 1989.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (634-1989) Continued

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

\*\*\*\*\*

RESOLUTION NO. (635-1989)

APPOINTING TO POSITION OF  
OFFICE WORKER STUDENT -  
SUPERVISOR'S OFFICE  
(KATHLEEN FITZGERALD)

Co. Maloney offered the following resolution:

RESOLVED, that Kathleen Fitzgerald, 3 Verona Court, New City, New York, is hereby appointed to the position of Office Worker Student - Supervisor's Office - at the current 1989 hourly rate of \$4.25 - effective June 28, 1989.

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. (636-1989)

APPOINTING TO POSITION OF  
OFFICE WORKER STUDENT -  
TOWN JUSTICE DEPARTMENT  
(ROBERT SPECTOR)

Co. Maloney offered the following resolution:

RESOLVED, that Robert Spector, 3 Dogwood Lane, West Nyack, New York, is hereby appointed to the position of Office Worker Student - Town Justice Department - at the current 1989 hourly rate of \$4.25 - effective June 28, 1989.

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. (637-1989)

APPOINTING TO POSITION OF  
OFFICE WORKER STUDENT -  
SANITARY LANDFILL (RICHARD  
PIPER)

Co. Maloney offered the following resolution:

RESOLVED, that Richard Piper, 21 Floral Court, Nanuet, New York, is hereby appointed to the position of Office Worker Student - Sanitary Landfill - at the current 1989 hourly rate of \$5.75 - effective June 28, 1989.

Seconded by Co. Smith

Continued on Next Page

RESOLUTION NO. (637-1989) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (638-1989)

GRANTING SICK LEAVE OF  
ABSENCE TO CLERK TYPIST -  
POLICE DEPARTMENT (JOAN  
MURPHY)

Co. Maloney offered the following resolution:

RESOLVED, that in accordance with Article XVIII,  
Section 3 (k) of the Labor Agreement between the Town of Clarkstown  
and the Clarkstown Unit of the C.S.E.A., Joan Murphy, 12 Shore Road,  
New City, New York - Clerk Typist - Police Department - is hereby  
granted a Sick Leave of Absence - at one-half pay - effective and  
retroactive to June 23, 1989 to July 23, 1989.

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. (639-1989)

REAPPOINTING TO POSITION OF  
MEMBER - ZONING BOARD OF  
APPEALS (JOHN D. CUFF)

Co. Maloney offered the following resolution:

RESOLVED, that John D. Cuff, 5 Pheasant Drive, West  
Nyack, New York, is hereby reappointed to the position of Member -  
Zoning Board of Appeals - at the current 1989 annual salary of  
\$1,500., term effective and retroactive to June 19, 1989 and to  
expire June 18, 1994.

Seconded by Co. Smith

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (640-1989)

AUTHORIZING INCREASE IN  
ANNUAL PERMIT AND  
INSPECTION FEES PURSUANT TO  
CHAPTER 47 OF THE TOWN CODE  
(FIRE PREVENTION)

Co. Smith offered the following resolution:

Continued on Next Page

RESOLUTION NO. (640-1989) Continued

WHEREAS, Chapter 47-11 of the Town Code of the Town of Clarkstown provides that the Town Board may establish permit and other annual fees for services provided by the Fire Inspector from time to time by resolution, and

WHEREAS, upon the recommendation of the Building Inspector, the Town Board desires to change such fee schedule;

NOW, THEREFORE, be it

RESOLVED, that pursuant to Section 47-11(E) of the Town Code, the fee schedule for inspections of new installations or changed uses and the annual inspection fees payable during the month of January for each year, shall be as follows:

<u>Permit/Inspection Fees</u>	<u>Annual Fees</u>
Business/Mercantile/Industrial/Storage	
(a) Building which contains only one tenant or occupant.	\$ 50.00
(b) Building which contains more than one tenant without common areas in building.	\$ 25.00 per tenant
(c) Building which contains more than one tenant with common areas in building.	\$ 25.00 per tenant
Common areas.	\$25.00 payment by landlord
(d) Mercantile buildings which are classified as a mall.	\$25.00 per tenant
Common areas.	\$100.00 payment by landlord

The tenant is responsible for obtaining the annual permit for his establishment and the landlord is responsible for obtaining his permit for common areas where applicable.

and be it

FURTHER RESOLVED, that the fee schedule provided above shall take effect on July 15, 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

\*\*\*\*\*

Supervisor requested that the Town Clerk read the following letter:

(Letterhead of Vista at Kingsgate)

June 27, 1989

Continued on Next Page

TBM - 6/27/89  
Page 28

Mr. Charles Holbrook  
Clarkstown Supervisor  
10 Maple Avenue  
New City, New York

Dear Mr. Holbrook:

On behalf of the Board of Managers for Vista at Kingsgate Condominiums-Section 1, I respectfully request that the Clarkstown Town Board deny the bid by Parker Nanuet Associates to build condominiums on the property across from the Hamlets of Rockland.

We have discussed this matter on numerous occasions over the past several months and can see little benefit to the additional condominiums. Not only will they cause added congestion, but the Town desperately needs clean tax ratables that condominiums cannot offer.

We believe the industrial parks already across from the condominiums are a more suitable alternative for developing the land. The office parks are good neighbors, and traffic is limited to weekdays.

Of the approximately 500 commercially zoned acres remaining in Clarkstown this is the only Planned Economic Development (PED) zone. At the time this zoning was enacted, certainly those Town Board members thought long and hard about creating a PED zone. We urge you not to give away what you will never be able to regain.

The Vista-Section 1 Board also questions in a slow real estate market the necessity of building more condominiums in an area that is already saturated. The Town must be aware that the Hamlets are still not 50 percent complete and that more condominiums would cause a financial hardship because it would further dilute real estate values.

The Vista Board is also aware that the Town Board member Mr. Steven Kunis, who appears to have the swing vote on this matter, campaigned against a zone change on the property. We hope he does not change his mind now.

Thank you for your consideration.

Respectfully yours,

/s/ Bob Glauber  
President  
Vista at Kingsgate  
Condominiums

\*\*\*\*\*

With regard to the following resolution and in answer to a question from the Supervisor, Town Attorney Murray Jacobson said this is a proposal to amend the zoning to provide for approval and the SEQRA findings are contained in this. He instructed the Supervisor to read the first part of the resolution.

RESOLUTION NO. (641-1989)(FAILED)

DENYING PARKER-NANUET  
ASSOCIATES ZONE CHANGE  
PETITION FOR PROPERTY  
LOCATED AT SMITH ROAD,  
NANUET (OLD RAMAPO AIRPORT  
SITE)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

WHEREAS, a Petition was filed by Parker-Nanuet Associates (the "Applicant"), on or about July 16, 1987, requesting the Town Board of the Town of Clarkstown to amend the Zoning Ordinance of the Town of Clarkstown by redistricting property of the Petitioner described as follows:

1. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lots 1 and 2.01, from an LIO District to an MF-2 District, as shown on Schedule "A" attached;
2. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.03, from a PED District to an MF-2 District, as shown on Schedule "B" attached;
3. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 13.2, from an LIO District to a PED District, as shown on Schedule "C" attached;
4. Redistrict property designated on the Clarkstown Tax Map as Map 164, Block A, Lot 12.2, from a PED District to a Modified PED District, as shown on Schedule "D" attached;
5. Property designated on the Clarkstown Tax Map as Map 164, Block A, Lots 12.4, 12.5 and 13.1, to remain in a PED District, as shown on Schedule "E" attached, and

WHEREAS, the Town Board was designated to serve as lead agency for the environmental review of the Project under the State Environmental Quality Review Act ("SEQRA"), and

WHEREAS, the Town Board retained RPPW, Inc., presently known as Robert Geneslaw Co., (the "Consultant") to serve as its independent planning consultant and to assist the Town Board in its SEQRA review of the project, and

WHEREAS, the Town Board by resolution adopted scheduled a public scoping session for the DEIS which was held on the 17th day of September, 1987, at which time all interested and involved agencies and members of the public were given an opportunity to be heard with regard to the scope and content of the DEIS, and

WHEREAS, a Draft Environmental Impact Statement ("DEIS") was accepted as complete by the Town Board, as lead agency, on June 14, 1988, and circulated and filed in accordance with the SEQRA regulations, and

WHEREAS, public hearings were held to receive public comments on the DEIS and the requested zone change on August 16, 1988 and September 27, 1988, at which time all persons attending who wished to be heard with respect to the proposed project were given an opportunity to be heard, and

WHEREAS, the public comment period on the DEIS closed on October 28, 1988, and

WHEREAS, public comments were received at the public hearings and were received from members of the public and involved and interested agencies in written form before, during and after the close of the public comment period which have been duly considered by the Town Board and its consultant and staff, and

WHEREAS, the applicant has submitted a proposal Final Environmental Impact Statement ("FEIS") which consists of the DEIS, revisions to the DEIS, a summary of public comments on the DEIS, additional data responsive to the comments, responses to all of the

Continued on Next Page

## RESOLUTION NO. (641-1989) Continued

substantive comments received, and Fiscal Impact Analysis, Revised Graphics and Traffic Appendix, and

WHEREAS, the Town Board, as lead agency, has reviewed the FEIS, together with the supplements, submitted by the Applicant, and has concluded that the FEIS contains an adequate, fair and balanced discussion of all the significant environmental, social and economic impacts associated with the Project as required by Article 8 of the Environmental Conservation Law ("ECL") and should be determined complete, and filed in accordance with the SEQRA regulations, and

WHEREAS, the members of the Town Board have had an opportunity to review the public comments received on the DEIS which are summarized and responded to in the FEIS and has reviewed the FEIS for completeness, accuracy and adequacy, and

WHEREAS, the Town Board requested comments on the FEIS be provided to it in written form, to be received by the Town Board on or before May 5, 1989, and

WHEREAS, written comments were received from Bihari Kennels, an adjacent neighbor to the property subject to SEQRA, alleging deficiencies in that "no provision is made for future development and improvement of undeveloped portions of the Bihari property and concerning the provision of essential services, utilities and drainage affecting the Bihari Kennels and expressing that the Town Board must address ingress, egress, services, drainage, expansion, development, improvement and environmental enhancement of the kennel property....", and

WHEREAS, the Town Board has analyzed the Bihari letter and feels that many of the concerns therein would be properly addressed in site plan review rather than in the zone change phase of this project and, further, that the purpose of the SEQRA was not to consider expansion and development of the Bihari property but rather a zone change for the development of the Parker-Nanuet property;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines that the requirements of Part 617, New York Code of Rules and Regulations, Volume 6, have been met, and be it

FURTHER RESOLVED, that consistent with social, economic and other essential considerations from among the reasonable alternatives thereto, the rezoning action to be approved is one which minimizes or avoids adverse environmental effects to the maximum extent practicable, including the effects disclosed in the FEIS, and be it

FURTHER RESOLVED, that consistent with social, economic and other essential considerations to the maximum extent practicable, adverse environmental effects revealed in the FEIS process will be minimized or avoided by incorporating as conditions those mitigative measures which were identified as practicable, and be it

FURTHER RESOLVED, that in making its findings and determinations under SEQRA, the Town Board has relied upon the facts and conclusions in the FEIS and the environmental record upon which it is based and, without intending to limit the foregoing, in particular, upon the environmental, social, economic and other factors set forth below, all of which form the basis of the Town Board's rezoning action:

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

SEQRA FINDINGS

PART I: Introduction

1. A petition was filed by Parker-Nanuet Associates on or about July 16, 1987, requesting the Town Board of the Town of Clarkstown to amend the Zoning Ordinance of the Town of Clarkstown to rezone several parcels of land, more particularly described in a Notice of Public Hearing heretofore published and on Tax Maps of the Town of Clarkstown known as Map 164, Block A, Lots 1 and 2.01, Map 164, Block A, Lot 12.03, Map 164, Block A, Lot 13.2, Map 164, Block A, Lot 12.2 and Map 164, Block A, Lots 12.4, 12.5 and 13.1, from LIO to an MF-2 District, from a PED District to an MF-2 District, from an LIO District to a PED District, from a PED District to a Modified PED District and for certain other properties to remain in a PED District.

2. The Town Board of the Town of Clarkstown was designated lead agency under SEQRA and held a public scoping meeting on the 17th day of September, 1987. A DEIS for the rezoning application was prepared for the Town Board by the Applicant, analyzing both broad land use considerations and trends, as well as specific impacts of the proposed Project to the extent detailed information was available. The DEIS was accepted as complete on June 14, 1988. Public hearings were held on August 16, 1988 and September 27, 1988, and comments were received from the public prior to, at and following the public hearings.

3. An FEIS was subsequently prepared by the Applicant for consideration and review by the Consultant and the Town Board. Following this careful review and analysis, and the submission of supplemental material to the FEIS, the FEIS was approved and issued by the Town Board on the 25th day of April, 1989, and circulated to the involved agencies and to the public. Comments on the FEIS were received from the public through May 5, 1989.

4. The Town Board has carefully and thoroughly reviewed the information contained in the FEIS, including the DEIS and its Appendix and comments thereon and found it to be an adequate examination of all important potential impacts which would result from affirmative action on the subject rezoning application. In particular, a broad review of land use, drainage, roadway and traffic, socioeconomic, and other economic considerations was undertaken in the DEIS. Comments were received on that information and responses from the Consultant were included in the supplementary material to the FEIS, which responses this Board has carefully and thoroughly reviewed and determined to be adequate. In making such a determination, the Board is aware that many questions were raised concerning the adequacy of the FEIS, which are best answered at the time of Site Plan review process.

5. Since receipt of the FEIS, the Town Board has received additional comments. The Town Board has carefully and thoroughly considered these additional comments and has determined that the issues raised by such comments were adequately treated in the FEIS or can be best treated at such time as Site Plan review is undertaken.

6. The Town Board recognized that qualified experts on any topic may differ in their conclusions, and may differ in the judgements employed during analysis. The Town Board acknowledges that the review of this rezoning proposal will lead to a diminution of LIO zoned land within the Township. Nevertheless, the Town Board has carefully reviewed the development of LIO land and takes notice of the fact that the uses permitted under the LIO zoning designation and the M zoning designation of the Town Zoning Ordinance are almost identical. On balance, and after careful consideration of all

Continued on Next Page

## RESOLUTION NO. (641-1989) Continued

relevant documentation and comments, the Town Board believes it has more than adequate information to evaluate all of the benefits and potential impacts of this Project as a basis for considering the requested rezoning of the Site.

7. SEQRA was designed to foster a careful review of all interested parties of any potentially significant environmental impacts at a time when the discussion of such consequence has the most meaning. This review has been conducted prior to any agency decision regarding permits or approvals and when the proposed Project is still in its conceptual and formative stages. This early environmental analysis of a proposal is particularly appropriate in the case where rezoning of land is required for project development. To some extent, it is realized that the plan for the PED portion of the Project is conceptual in nature since the Applicant does not at the present time have exact information as to prospective tenants and the development of that property will depend, to a large extent, on market conditions. A more detailed review will be taken as tenants emerge by the Clarkstown Planning Board at its Site Plan review stage. However, the rezoning action has afforded the Town Board and other involved agencies a clear understanding of the potential impacts that might arise from the actual construction and operation of the Project. To the extent possible, the Applicant presented detailed information regarding certain environmental impacts, which can be reasonably anticipated and analyzed at an early stage of review. Analysis of other impacts, such as the actual reading of the site and the internal circulation of the site and classes of users within the PED portion of the site, could only be identified in a conceptual manner and must await the preparation of a detailed site plan. The Town Board is aware of the fact that the PED Ordinance requires the submission of a detailed site plan but recognizes that this site plan, at this early stage of the proceeding, must of necessity be conceptual in nature. The environmental review process has provided the Town Board with a clearer understanding of the tax impact of the zone change and the traffic impacts on the site. The Town Board in making these findings determines that appropriate steps are and can be taken to minimize any risk to public health or the environment that might arise from the proposed construction and operation of the Project as conceptually proposed.

Part II: The Site

8. The members of the Town Board are familiar with the site, the area surrounding the site and the changes that have occurred surrounding the site since the introduction on adjacent properties of a large retail center known as the "Spring Valley Market Place."

9. The proposed action seeks to rezone approximately 99 acres of land. The rezoning reduces the amount of land by roughly 50% that could be zoned for PED and LIO uses and introduces the potential for 414+ residential units. The site is the former Ramapo Valley Airport site, which has been discontinued as an airport and the site is bounded largely by County roads. The site is adjacent to a County drainage area which would accept the flows of approximately 50% of that site. Property to the south of the site is a large retail shopping center separated from the site by a railroad right-of-way. Property to the north of site is largely multiple family condominium development known as the "Kingsgate Condominiums." Property to the east of the site is largely zoned for medium density residential.

Part III. Proposed Development

10. Applicant plans to construct on the site approximately 414 multiple family residences which will be either in

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

fee simple or condominium ownership. The acreage proposed for that zoning - the approximate number of units per acre are slightly more than the MF-1 Zone which permits up to 8 acres per unit. The remainder of the site can accommodate 500,000 sq. ft. of LIO and PED type development. The Applicant has agreed to construct from Smith Road to Airport Executive Drive a dual lane boulevard which would accommodate most of the traffic from Treetop Condominums and elsewhere without further detriment to the corner of Smith Road and Pascack Road. In short, this road may alleviate problems at that intersection.

11. The Applicant is required to obtain Town Planning Board site plan approval prior to any further construction. Site Plan approval will allow the Town to further control the development of the site to insure that the scope of development is consistent with that analyzed in the FEIS. The Planning Board site plan approval considers, among other issues, ground coverage, set-backs, internal circulation, parking spaces, ingress and egress, sewer, water, drainage, lighting, screening and landscaping.

12. The scope of development proposed by the Applicant meets the requirements of the Zoning Ordinance with respect to the zoning districts proposed.

13. Other agencies which must approve various aspects of the proposed development include the Rockland County Sewer District No. 1, the Rockland County Drainage Agency, and the Rockland County Planning Board.

Part III. Traffic and Roadway Improvements

14. The principal roadways to be affected by the construction and operation of the Project are Smith Road and the Airport Executive Drive, which fall under the jurisdiction of the County of Rockland. Some question has been raised concerning the need for traffic improvements at Smith road and North Middletown Road or Smith Road and Pascack Road. The Applicant has agreed to contribute to the cost of these improvements should they be required. The tunnel by-pass road is not operative at the time of the preparation of this document. However, this road should be operative at the time of site plan approval in the event that this rezoning is granted.

Part IV. Drainage

15. The Applicant will provide a storm water management system which is designed to limit peak rates of storm water flow from the site for a 100 year storm to flow no greater than the existing conditions. This system will ensure that the Project will not adversely affect existing drainage patterns and ensures that there will be no exacerbation of flooding as a result of development.

16. All surface water, groundwater, and intermittent streams on the Project site will be conveyed and managed by the site storm drainage and water management systems to be included in site plans presented to the Town Planning Board. No construction is contemplated which would encroach on the 100 year flood plain.

Part V. Economic Data

17. Analysis contained in the FEIS clearly indicates that the proposed rezoning, when compared to full build-out of the Project as presently zoned, will provide a significant benefit in both school and other municipal taxes. It is noted that those studies were prepared prior to the removal of the tax abatement by resolution of the Clarkstown Town Board (for commercial uses).

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

Nevertheless, the Town Board is satisfied that the Project will have no adverse economic effect on either the school districts involved or on the municipalities involved.

18. The municipal revenues generated once the Project is constructed will more than offset any municipal costs associated with the Project.

Part VI. Alternatives

19. In accordance with the SEQRA Regulations, the FEIS contains a discussion of alternates to the requested rezoning of the site. Alternates considered include the full build as presently zoned and the full build under proposed zoning. The "no action" alternative has not been considered due to the fact that the site is presently an abandoned airport and it would be economically confiscatory to require the site to remain in that condition.

20. During the public comment period on the DEIS, the summary of objections to the Project came from surrounding property owners who felt that the addition of more condominium units in the area would saturate the market. The other main objection had to do with traffic impacts of the proposed development. A market study was submitted by the Applicant which indicated the feasibility for the condominium development. The traffic analysis done indicated that full build out as presently zoned would have a greater traffic impact than the impact caused by the proposed zoning. The Town Board notes that the County Superintendent of Highways indicated that the impact caused by the proposed zoning would be less severe.

Part VII. Mitigating Measures

21. In its conceptual site plan, the Applicant has incorporated a large two-lane highway, (boulevard) which would accommodate property from Smith Road and lead it through the Project Site and into the tunnel by-pass road. The residential portion of the Project has been placed so that the introduction of commercial traffic (trucking and the like) will not intrude into the residential portion of the site. The Applicant has further covenanted during the public hearing to build on the site 22 "affordable housing units of a price not in excess of \$130,000 so as to permit affordable housing or "starter" homes in the community.

22. In order to insure that the Applicant fulfills its commitments, the Town Board will in its rezoning action make any or all of these commitments a condition of the rezoning and/or a requirement of site plan approval by the Town of Clarkstown Planning Board.

Part VIII. Conclusion

23. In issuing these SEQRA findings, the Town Board as lead agency recognizes that the rezoning is the first in a series of regulatory approvals required for development of the Project. The Town Board feels that a fair assessment of all potential environmental, social and economic impacts of the requested change of zone, as well as specific environmental issues have been discussed.

24. At the time of specific site plan for actual development being proposed is submitted to the Town Planning Board, the Planning Board will determine whether any further proceedings under SEQRA are required. (See 6 NYCRR Sec. 617.15.)

Seconded by Co. Smith

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

Councilman Carey said he was concerned about the number of units and the traffic situation on Smith Road. He said this project is a little too ambitious and will have a negative impact on that whole part of Clarkstown as he sees it. In that respect he votes no.

Councilman Kunis said in his campaign for office two years ago he was very much against creating a new MF zone at the Ramapo Valley Airport. This property is presently zoned for commercial and industrial use. As a proponent of clean, commercial ratables he said he could not vote for this zone change. He voted no.

Councilman Maloney said he too has been concerned about clean ratables and attracting industry to the Town of Clarkstown - attracting the kind of development that other municipalities can point to with pride. Sometimes we sit and we see a piece of land lie fallow for a long time. This has been kicked around for almost two years. It has been studied and studied and studied. We have looked at the model and sometimes it is just a question of whether it is 400 units or 300 units. The point is that this is an interesting concept - something that the Town can be proud of. It mixes the PED. It brings in housing. It does something with that piece of land that had been an airport. He said his concern is that if we continue to tell people to come to the Town of Clarkstown, bring your plans, let's look at them and then we have them danced around for a year and a half or two years and then we say goodbye, he thinks we are sending a message to the business community, whether it be New York or Connecticut, we don't want you to come here. We don't care what kind of original plans you have. We don't care whether you have LIO, PED - we don't care how original your plans are because really we're not interested. Of course, there are going to be problems. Anybody that comes into the Town of Clarkstown, whether you put 500,000 square feet of LIO up there, there is going to be traffic problems. But we can face those problems. The point is that at some time we are going to have to say are we willing to work with the person? Are we willing to put demands on the developer? Are we willing to have the Planning Board sit down and say yes we've given you the zone change but now, by God, you're going to do this, this and this. And that's where he thinks the bottom line is. Before we even have the chance to do that we're about to turn somebody away. He said he thinks that could be lived with. He thinks it is viable. Of course, there are problems but he thinks they could be met if we have the ability, the dedication and the concern that we are willing to work together with these developers that are coming in. He said his feeling is that the message is going out that really we are not interested in any kind of development. He said he would have to vote yes.

Councilwoman Smith said this project has been under review for approximately two years. The model that was presented to us showed an excellent concept of residential and planned economic development. Most of the opposition seemed to be traffic. The Final Environmental Impact Traffic Statement demonstrated that there would actually be 41% less morning peak hour traffic and 33% less evening peak hour traffic under the requested zone change than under the present zone. The property is surrounded by County roads and the County Planning Board unanimously recommended approval. Total taxes generated by the fully built proposed zone would be \$1.9+ million or 3/4% of a million dollars more than if built under present zone. Both the Nanuet and the Ramapo School Districts indicated they could accommodate any children generated by the project and that they would realize a surplus. The project would result in 550 to 600 less vehicles on the road. It would give us a tax benefit. The multi-family density of 8.3 that would be built is less than any of the surrounding condominiums. Twenty-two moderately priced units would be included in this approval. The

Continued on Next Page

RESOLUTION NO. (641-1989) Continued

real significance of this last item is that a beginning would actually be established and a pattern set for all developers who followed to provide housing for young adults, not just talk about it, but provide it. The area has recently become nothing more than a target for illegal dumping. It would have been upgraded by this well planned, well coordinated project. Councilwoman Smith said for these reasons she was supporting the application and she voted yes.

Supervisor Holbrook said over a long period of time he has wrestled with this particular issue. He noted that there are many merits to the project that have been indicated over the past couple of weeks and over the past couple of years, as a matter of fact. He said he has two concerns. One, of course, he said he has already expressed to the media with regard to the number of units and the second is the losing of some LIO land from our industrial bank to residential development. He said these things concern him but more particularly it is the impact of the additional units. He said he would like to have seen them reduced but at the 414 level he could not justify going that high; therefore, he would have to vote no on this application.

On roll call the vote was as follows:

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

(PLEASE NOTE THIS RESOLUTION FAILED.)

\*\*\*\*\*

RESOLUTION NO. (642-1989)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT WITH  
VELZY/WESTON FOR SOLID  
WASTE TRANSFER STATION -  
CHARGE TO ACCOUNT NO. A  
8160-409

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown, as part of the requirements for constructing a solid waste transfer station at the existing Clarkstown Sanitary Landfill, must submit an application for a permit to construct the transfer station to the New York State Department of Environmental Conservation, and

WHEREAS, this application must include subsurface investigations and studies necessary to indicate that there will be no adverse impact on the site or surrounding areas;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Velzy/Weston for the preparation of the applications to the New York State Department of Environmental Conservation for the permit to construct the proposed solid waste transfer station, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed \$45,000.00 and shall be charged to Capital Account No. 2.

Councilwoman Smith asked if this was part of what was presented in the transfer resolution - part of the \$800,000.00? Mr. Bollman said no it is not. This is strictly transportation. Councilwoman Smith said then Velzy/Weston is preparing the

Continued on Next Page

RESOLUTION NO. (642-1989) Continued

applications for the State DEC. Mr. Bollman said to complete an application for the DEC in its complete form there are several tests that are going to have to be made on the land to show what can be put there and what work might have to be done to that area first before you can put in the foundation. He said we are trying to get the jump on that and we want to authorize them to start that so that they can hopefully submit the complete application sometime in August or September. Councilwoman Smith asked if this is all our expense and has absolutely nothing to do with the Order on Consent? Mr. Bollman said that is correct.

Councilman Kunis asked if there was any kind of proposal and do we know what we are getting for the \$45,000.00? Mr. Bollman said this was done verbally. Councilman Kunis asked if there was anything that the Board can get in writing? You are asking us to spend \$45,000.00 and it is for a good cause but he said he has trouble spending \$45,000.00 without seeing what he is spending it for. There has to be a proposal presented to the Board because we have to see what we are getting for our money. He wants to see how the money is being spent.

Mr. Bollman said there are letters from the DEC officials. We went through the negative declarations for a transfer station and when we come in for the application they want to see certain things. They want to see what various tests show. A lot of this is very difficult because you don't know - they can come back and say well you found this, we want six more tests. It is very difficult. He said he could get something in writing but this is what it was based on - the letter submitted - so we don't start with an incomplete application and take three weeks to send that back. We are trying to get everything now.

Councilman Kunis said he understands that but it is a professional engineering firm. The gentleman is here today. He said, directing his comments to Mr. Suttie, he was sure they deal with proposals and they submit written proposals to a client. Mr. Suttie said he has no defense for that and he agrees with Councilman Kunis 100%. He said this was decided yesterday, coming back from a meeting we had with DEC and time was of the essence in getting this application completed. Councilman Kunis said he understood that but we are spending over \$900,000.00 or at least authorizing that over the past week. He said he realized that this was an expenditure that would be put to good use. However, he said, as a Board member, he wanted to see something in writing before he approved these things because he wants to know what he is voting on.

Mr. Bollman said he tried to explain that to the Board and Councilman Kunis said he understood that but he wants it listed what we are getting and the conditions set so that in a year it is not \$60,000.00 or \$70,000.00 or \$80,000.00 and the \$45,000.00 will remain \$45,000.00.

Seconded by Co. Carey

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (643-1989)

AUTHORIZING TOWN ATTORNEY  
TO MAKE FORMAL TENDER OF  
VALUE RE: MAP 57, BLOCK J,  
LOT 8, NEW CITY, NEW YORK  
(FORMER KNAPP MOTEL)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to make a formal tender of value determined by the Town appointed appraiser to the owner of the property designated on the Clarkstown Tax Map as Map 57, Block J, Lot 8, New City, New York.

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. (644-1989)

REFERRING SPECIAL PERMIT  
APPLICATION OF C & A  
CARBONE, INC., FOR  
RECYCLING FACILITY TO  
CLARKSTOWN PLANNING BOARD  
AND ROCKLAND COUNTY  
COMMISSIONER OF PLANNING  
(MAP 88, BLOCK A, LOT 15)

Co. Maloney offered the following resolution:

WHEREAS, C & A CARBONE, INC., with offices at 183 Western Highway, West Nyack, as lessee of property, has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a recycling facility located at West Nyack, New York, designated on the Clarkstown Tax Map as Map 88, Block A, Lot 15, pursuant to Chapter 106-16R of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that this application be referred to the Clarkstown Planning Board pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and the Rockland County Commissioner of Planning pursuant to Sections 239-1 and 239-m of the General Municipal Law for study and report, and the following agencies for comment or study and report on or before July 28, 1989:

1. Department of Environmental Control of the Town of Clarkstown.
2. Building Inspector of the Town of Clarkstown

and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Kunis

RESOLUTION NO. (644-1989) Continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (645-1989)

AUTHORIZING SUPERVISOR TO  
SIGN AN ORDER ON CONSENT  
SHOWING CLOSING DATE FOR  
CLARKSTOWN SANITARY LANDFILL

Co. Maloney offered the following resolution:

WHEREAS, the New York State Department of Environmental Conservation is responsible for enforcement of Article 27, Title 13, Environmental Conservation Law of the State of New York "Inactive Hazardous Waste Disposal Sites," and

WHEREAS, the New York State Department of Environmental Conservation has forwarded to the Town of Clarkstown a proposed Order on Consent concerning investigation, remediation and closure of the Town of Clarkstown's municipal landfill located on Route 303, West Nyack, New York, as an "Inactive, Hazardous Waste Disposal Site," under Index No. W-3-0234-88-07, and

WHEREAS, the Town Attorney of the Town of Clarkstown and the Director of the Department of Environmental Control of the Town of Clarkstown have reviewed the proposed Order on Consent, and

WHEREAS, the Town Board of the Town of Clarkstown believes that it is in the best interest of the Town of Clarkstown to enter into such Order on Consent;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to sign and execute such Order on Consent in the form proposed by the New York State Department of Environmental Conservation showing a closing date for the Clarkstown Sanitary Landfill of December 31, 1989, with no extensions beyond May 1, 1990, extensions will be considered by the New York State Department of Environmental Conservation until May 1, 1990 based on: (a) strict compliance with the terms and conditions of the Consent Order; (b) substantial progress on the approval of a transfer station; (c) compliance with operational requirements of 6 NYCRR Part 360; (d) passage of a mandatory recycling ordinance, and (e) allocation of 35% of all tipping fees, received after December 31, 1989, to the investigation, remediation and closure of the Clarkstown Sanitary Landfill, and be it

FURTHER RESOLVED, that executed copies of such Order on Consent be forwarded to the New York State Department of Environmental Conservation for execution by said agency.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (646-1989)

AUTHORIZING SUPERVISOR TO ENTER INTO AGREEMENT WITH T.B.C. SPRAYING SERVICES TO AMELIORATE MOSQUITO PROBLEM IN NANUET AREA OF FAIRVIEW AVENUE AND JERRY'S AVENUE - CHARGE TO ACCOUNT NO. A 8730-409

Co. Maloney offered the following resolution:

WHEREAS, there presently exists a serious problem with mosquitoes in the Nanuet area of Fairview Avenue and Jerry's Avenue, and

WHEREAS, T.B.C. Spraying Services has submitted a proposal dated June 19, 1989 to provide spraying services to ameliorate the mosquito problem in the Nanuet area, and

WHEREAS, the Town Board wishes to accept said proposal;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with T.B.C. Spraying Services, in a form satisfactory to the Town Attorney, to provide for said services, and be it

FURTHER RESOLVED, that the fee for said services shall not exceed the sum of \$804.60 per application for larvicide and \$1,645.00 per application for adulticide, and said fee shall be charged to Account No. A-8730-409.

Seconded by Co. Carey

(Councilwoman Smith asked if the Department of Health would give us the application without charge. She was told that they would not give us the material. There is a date on it. A permit is going to be required for the application for which we have to pay.)

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (647-1989)

AUTHORIZING HIRING OF GEORGE RAYMOND TO PERFORM PLANNING SERVICES REGARDING TEXTUAL CHANGES TO MRS PORTION OF ZONING ORDINANCE (SITE PLAN REVIEW OF CLINTON SQUARE PARCEL)

Co. Maloney offered the following resolution:

WHEREAS, the Town has employed Cuddy and Feder, Attorneys at Law, as special counsel to revise certain portions of the Zoning Ordinance having to deal with the MRS zone, and

WHEREAS, Cuddy and Feder require planning consultation for the final draft of such proposed changes, and

WHEREAS, George Raymond is providing planning services to the Planning Board of the Town of Clarkstown concerning site plan review of the Clinton Square property which is in the MRS zone;

Continued on Next Page

RESOLUTION NO. (647-1989) Continued

NOW, THEREFORE, be it

RESOLVED, that the Planning Board is hereby directed to assign George Raymond to assist Cuddy and Feder in its preparation of textual changes to the MRS portion of the Zoning Ordinance as part of George Raymond's duties concerning the site plan review of said Clinton Square parcel.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (648-1989)

AUTHORIZING WORK TO STUDY  
AND/OR IMPLEMENT LOCAL  
PROJECT - APPLICATION FOR  
STATE ASSISTANCE (MUNICIPAL  
HAZARDOUS WASTE SITE  
REMEDIATION)

Co. Maloney offered the following resolution:

WHEREAS, the TOWN OF CLARKSTOWN herein called the "Municipality," after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in the Order on Consent, herein called the "Project," is desirable, in the public interest, and is required in order to study and/or implement the local project or program, and

WHEREAS, Article 52 of the Environmental Conservation Law authorized financial assistance to municipalities for remediation of inactive hazardous waste disposal sites by means of a written agreement and the municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Clarkstown:

- (1) That the Supervisor of the Town of Clarkstown is the representative authorized to act in behalf of the governing body in all matters related to financial assistance. The representative is also authorized to make application, execute the State Assistance Contract, submit project documentation, and otherwise act for the governing body in all matters related to the project and financial assistance;
- (2) That the municipality agrees that it will fund its portion of the cost of said project;
- (3) That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the Application for State Assistance;

Continued on Next Page

RESOLUTION NO. (648-1989) Continued

(4) That this Resolution shall take effect immediately.

Seconded by Co. Carey

Councilman Kunis asked how the Comptroller would be involved with this? Murray Jacobson, Town Attorney said this is a form resolution which they give you to pass when you make your application for the 75% under the State Bond Act for the investigation and mediation. It ties in with the Consent Order that we need to sign. Councilman Kunis asked if all background and backup will be done by us through the Comptroller's office? Town Attorney said somebody has to sign the application. Supervisor said our financial people have to work out the details.

On roll call the vote was as follows:

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

\*\*\*\*\*

At this point Supervisor Holbrook recognized Mr. Jack Parker. Mr. Parker stated that he is a developer who was asked to come into this Town basically to build what he thought was going to be a very beautiful job. He said Supervisor Holbrook came with us to the architect before we purchased the land and before he got into what he thinks is a horror where we are stuck for some \$18,000,000.00 because of what Mr. Holbrook told us. We have been misled. We were told that while we originally had some 500+ units probably 414 units would be permissible. We didn't anticipate after years of going back and forth that we would be stabbed in the back the way we have been. For two years we have been carrying this property. We have gone through all kinds of costs, technical, engineering wise, and have been led on by you people. To have something like this happen to a developer in this Town is degrading. For any man to come into this Town and expect to spend money and look to do and upgrade the Town is a horror. He said he sits back here and he just can't believe what is happening to him. He said he has dealt with cities before. He stated he has done work in Newark and has done ten different urban renewal jobs all over New Jersey. He said he was considered an honorable builder in New York. He said when he sits down to discuss with Town Councilmen and Supervisor he anticipates that what his words are will be upheld. He said he finds himself in the disasterous position of having put up \$18,000,000.00, spent two years and then practically being spit in the face with an answer that we don't think that should be there. He said he does not know how the people on this Board, you councilmen, can sit back and permit something like this to happen. Whether it's 414 units, whether it's 300 units but something has to be done. You can't just turn around and tell me go fly a kite. This property is going to stand and nothing will be done with it. It's been a garbage dump. You have come to us and asked us to clean it up. We have done it time and time again and we sit here and listen to being told that this property at this particular point has no chance of survival and here we are stuck with \$18,000,000.00. He said he feels that you councilmen should consider. This is something that this Town could use. It would be a tremendous plus factor. It would upgrade the city. It would certainly upgrade that dump. For you to sit back and say you don't think you like it or you don't think that this is an improvement is completely out of order. This property needs this rezoning. Without this rezoning it can't move forward. To ask us to try to build 550,00 or a million feet of flex space is impossible. We don't have that type of economy. We don't have people here who can earn and work in a

Continued on Next Page

factory or work in some kind of an organizational set up where they are paying \$8.00 through \$12.00 an hour and find that you are competing with other help. To anticipate or expect this property to be utilized for some kind of commercial endeavor is just not realistic. We are asking you tonight to please reconsider, taking into consideration that what I am speaking of not only comes from the heart but basically is realistic. He said if he been told at the beginning that it would be 414 units, he would have never been in this position. He stated that he would have walked away without investing one nickel. He stated that "You have committed a crime to me - a definite crime. You have put me into a position that I feel is untenable and is not right and I ask this Board to move to reconsider understanding the position I have been put in. Can that be accomplished?"

Supervisor Holbrook said that was up to the Town Board members. Some of them have expressed their opinion in terms of the number of units. Mr. Parker said what is the opinion? There has to be some units. There's got to be something. What is it that they'll agree to. He said I was told by you that you'd agree to 414.

Supervisor Holbrook said he had stated that he had problems with the number of units. He said he had made a suggestion of 300 - that's what he made a suggestion of. He said he was not going to get into a bargaining session at a Town Board meeting. If the Town Board wants to consider this further they should take a week.

Mr. Parker said he has been waiting for two years. Supervisor said then you may have to wait another week; that is if the Town Board members want to reconsider it. Mr. Parker said we would never have been in this position.

Councilman Maloney said perhaps it could be discussed at the next Town Board Workshop to see if anybody trying to salvage this could come up with a figure. Those who felt it should be turned down because it was 414 - would they agree to 314 or 344? He said he didn't know; that would depend on the Town Board members who voted against it. He stated that all he could say was if you want to wait until the next Workshop to see if the Town Board could be asked to reconsider or come up with some figure.

Mr. Parker said you have other jobs right in the area. We are less than any of them. Why pick on me? What is the purpose? There has to be some reasoning. Councilman Maloney said I voted in favor of this. No one is prepared to change a vote now but perhaps at a workshop session where we could just sit down and talk about this and see if any of the members would be willing to compromise and say to you this is it and here's the process you have to take if this is to be reconsidered. He said he did not think anything could be done right now. At least that is the feeling he gets. Perhaps at a workshop each one could reevaluate and see if there is a number.

Mr. Parker said he would like to attend that next workshop. Supervisor said that would be July 11th.

Councilman Kunis addressed Mr. Parker and asked him are you saying that you purchased this property predicated on a promise of 414 units? Mr. Parker said yes. I would never have come here. I would have never been in this Town if that wasn't promised to me. I'd have to be an idiot to put \$14,000,000.00 down. We now have \$18,000,000.00 in this project. I'd have to be a definite idiot to be in this position if I wasn't made those promises.

Supervisor said, Mr. Parker I never promised you 414 units. Mr. Parker said, Mr. Holbrook that is not true. You sit

Continued on Next Page

there and you tell me things and it is my money that's there because of you. Supervisor said I never said that. Mr. Parker said yes you did.

Mr. Parker said we originally had 500+ units. Supervisor Holbrook said I told you that number was too high and I still say that. I said 500 was too high. I said 414 was too high. I have said it all along. Mr. Parker said I don't want to call you a liar. Supervisor said you can call me whatever you like. Mr. Parker said I spent \$14,000,000.00 because of what you said. Supervisor reiterated that you can call me whatever you like but I didn't say that.

Councilman Maloney said let's wait until we have a workshop session in a calmer situation.

Mr. Parker said what is wrong here is that I have been perpetrated and made a fool of and have put up my money in good faith. We are the least amount of units of that entire area and why are you picking on me? Answer me that?

Town Attorney advised the Supervisor that this discussion should terminate. Councilman Maloney said let's let it go for the workshop.

\*\*\*\*\*

RESOLUTION NO. (649-1989)

AMENDING RESOLUTION NO.  
569-1989 REGARDING SPECIAL  
PERMIT OF PYRAMID COMPANY  
OF ROCKLAND FOR ROCK  
EXCAVATION REMOVAL

Co. Smith offered the following resolution:

RESOLVED, that Resolution No. 569-1989 be amended to change the SEQRA clause to read as follows:

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that the New York State Thruway Authority shall act as lead agency.

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.....No

\*\*\*\*\*

On motion of Councilman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Recessed Hearing on amendment to Zoning Ordinance (Maximum Floor Aea Ratio), was opened, time: 10:03 P.M.

On on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Recessed Hearing on amendment to Zoning Ordinance (Maximum Floor Area Ratio), was closed, RESOLUTION ADOPTED, time: 10:12 P.M.

RESOLUTION NO. (650-1989)

AMENDING ZONING ORDINANCE  
OF TOWN OF CLARKSTOWN -  
SECTION 109-19(F) (FLOOR  
AREA RATIO)

Co. Carey offered the following resolution:

Continued on Next Page

RESOLUTION NO. (650-1989) Continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 15th day of November, 1988, provided for a public hearing on the 29th day of November, 1988, which public hearing was adjourned to December 27, 1988 and further adjourned to January 24, 1989, at 8:10 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

**Amend Section 106-19 (F) to add Item 11 as follows:**

Maximum floor area ratio. In MF-1, MF-2 and MF-3 Districts the maximum floor area ratio shall be .50. In MF-4 Districts the maximum floor area ratio shall be .75.

and be it

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

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

\*\*\*\*\*

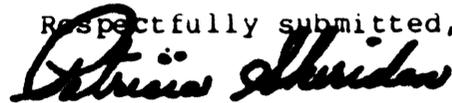
On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Local Law - Ethics, was opened, time: 10:13 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Local Law - Ethics, was closed, DECISION RESERVED, time: 10:43 P.M.

Supervisor said we would like to adopt a law by our next Town Board Meeting which would be July 18, 1989. He said all of the Town Board members are prepared to vote for an ethics law. There are some specifics of it we wish to examine but we will make that decision.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 10:44 P.M.

Respectfully submitted,



PATRICIA SHERIDAN  
Town Clerk

TOWN OF CLARKSTOWN  
CONTINUATION OF PUBLIC HEARING

47

Town Hall

6/27/89

10:03 P.M.

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

RE: Continuation of Public Hearing re Floor Area Ratio  
begun in November of 1988 and recessed to dates in  
December, 1988, January, February, March, May and June  
1989

---

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the recessed Public Hearing re: Floor Area Ratio was opened.

Supervisor said in speaking with Mrs. Schwartz from the Planning Department they are prepared to go ahead with the MF floor area ratios but they want more time on the others.

Supervisor asked if anyone had any comments?

Appearance: Mr. Nick Pisano  
Burda Avenue  
New City, New York

Mr. Pisano said he has a problem that could be resolved with the amendment of the zoning. He said they bought a house in 1982 and were given a C.O. He stated it is a one family home and they are not allowed to sheet rock their basement. He said when they went to get a C.O. they were told they were over the 20% ratio. He said the two floors of the house exceeded the ratio and should never have been given the C.O. even without the basement. He said he is in a position right now where he has a house he is trying to sell and cannot get a C.O. for the basement. He said he understood that the intention of the ratio law was to circumvent spreading on the property. He said the structure is there and it should never have had a C.O. to begin with. He said it was struttred out in the basement and electricity was put in. There is a bathroom put in that was sheet rocked and it is a walk out basement so the intention is that it was clearly meant to be finished. He said beyond that the other two areas exceeded the law. The house in essence had a C.O. that should never have been issued. He said he spoke to Mr. Colucci and he agreed with him that it should never have been done. He said meantime he was told to get a lawyer. He stated that he has to go before a greivance committee and he has to pay legal fees to try to get this resolved. He felt he should be protected as a taxpayer.

Supervisor said the Planning Board is looking at the residential floor area ratios. Town Attorney said they are only prepared at the present time to deal with MF-1 through MF-4 which is multi-family. Supervisor said they are looking at problems of floor area ratio in the residential. He said Mr. Pisano's might be addressed in that regard which would be a subsequent public hearing.

Mr. Pisano said his problem is two-fold. He is trying to sell his house. He cannot get a mortgage from a lending institution because there is no C.O. He said he has to go and get a lawyer to do this. He said he doesn't know where to turn next. He went to the Zoning Board and they don't want anything to do with it. He said he comes here tonight and he cannot understand what he is to do.

There was dialogue with Mrs. Saccende, Clarkstown Code Enforcer. Mrs. Saccende said she would have to look at the records and see the original C.O. Perhaps a mistake was made in the Building Department at that time but she would have to research it.

Continued on Next Page

PH - Amendment to Zoning Ordinance - Floor Area Ratio - 6/27/89  
Page 2

Mr. Pisano reiterated that at this time he could not even put in a pool table in his basement or sheet rock the basement. Supervisor said one of the things they are trying to address is the basement aspect of the floor area ratio.

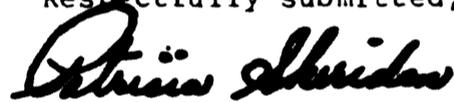
It was determined that there is an eight foot ceiling. Mr. Pisano said he was told by personnel in the Building Department that it is absolutely ridiculous that he could not put sheet rock in his basement which was already there when he bought the house. He said the other two floors had already exceeded the ratio, never mind the basement. He said if that was taken into consideration he would not be stuck this way. He said one way or the other it was done, either illegally or a genuine mistake. He said in 1982 this was a brand new house. He said the Building Department personnel stated that a C.O. should never have been granted on that house. He said I have a C.O. but cannot get one for the basement.

Supervisor said this particular Public Hearing is for a determination on the MF floor area ratios and the Planning Board is continuing to look at this problem concerning the floor area ratio on the residential. Mrs. Saccende said he should appear before the Zoning Board of Appeals. Supervisor suggested that after this hearing Mr. Pisano speak with Mrs. Saccende.

Supervisor noted that a subsequent hearing would be held relative to the floor area ratios in residential zones.

On motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, RESOLUTION ADOPTED, time: 10:12 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

6/27/89

10:13 P.M.

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

RE: LOCAL LAW - ETHICS

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

Supervisor said the Town appointed a commission to take a look at our Ethics Code and the codes of other communities and put together an Ethics law. The public hearing tonight encompasses all of the provisions that were recommended by the Ethics Commission. At the last workshop, Mr. Posner, Deputy Town Attorney, indicated to the Town Board six areas that the Town will have to make decisions on relative to the proposals in the law. They are as follows:

1. A violation of the Code of the Ethics is deemed to be a crime in addition to a civil penalty. In the original version it was only deemed to be a civil penalty.
2. Candidates for elected office need not file financial disclosure statements whereas in the original version they were required to do so.
3. Individuals holding political office higher than a committee person could not be employed by the Town. This is an addition put in by the Ethics Panel.
4. There may be no soliciting of Town employees by elected officials to either contribute to their campaigns or to work on their campaigns. The Ethics Panel added this.
5. The Chairman or Vice-Chairman of a political party must file regardless of earnings. Previously, the original draft called for the filing by political party officials only if they earned more than \$30,000.00 from political party funds.
6. No elected official, covered employee or Town employee can solicit money or participation in a political campaign from someone who has had any business dealings with the Town during the preceding twelve months. This was added by the Ethics Panel.

Supervisor noted that we had some members of our Ethics Panel present. He then asked if there were any persons present who would like to make a comment on the proposed Ethics Law.

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

Mr. Lodico said he did not think that this government was elected by the people to deny someone, who is qualified to fill a particular position, the right to work in government. A person, whether he be Democrat, Republican or Conservative Chairman, if he is qualified to do a job, he should not be precluded from working for the government. It is an elective process. He felt that particular area is something that denies due process to citizens who are worthy of serving the government.

Appearance: Mr. Joseph Pantano  
New City, New York

Mr. Pantano spoke regarding "high standards of ethical conduct." He said first of all the person (Mr. Parker) got up here

Continued on Next Page

without asking permission. Supervisor said he did ask permission. Mr. Pantano said it was appalling that let's make a deal was started here at Town Hall. He said he hopes this Ethics Law that is put into effect is put into effect in the most stringent manner because this Town is in sore need of it.

Appearance: Mr. Glen Blackman, Assigned Labor Relations Specialist for both bargaining units in Clarkstown

Mr. Blackman asked that the adoption of this Ethics Law be placed on the back burner. He said they feel at this point such an adoption of this law is premature. He said we feel that the adoption of such law involves numerous bargaining unit employees of both bargaining units within CSEA. He said they feel this law not only restricts or infringes upon their constitutional rights but it also waives other rights as being members and employees of the Town.

Mr. Blackman said they feel that what the legislature here is trying to obtain can be met in other various ways. He said it is clear that the application of such law as defined in the Ethics of Government Act, Chapter 813, Section 810, subsection 3 regarding people who should be subject to such law refers to people who are in policy making positions. He said upon review of the positions which this Committee has designated as positions that have to disclose and be subject to this Ethics Law that they are not all in policy making positions.

Mr. Blackman said this procedure, in the opinion of CSEA and in a recent opinion of the Public Employees Relation Board of the State of New York, has been determined to be a mandatory subject of negotiations. He said with that in mind he would like to state, as a CSEA representative of the employees in the Town of Clarkstown, CSEA is prepared to move forward in declaring improper practice against the Town of Clarkstown for unilaterally imposing financial disclosure and background investigation requirements upon certain employees of the Town of Clarkstown.

Appearance: Mr. John Cuff  
West Nyack, New York

Mr. Cuff said he would shortly be entering his twenty-third year as a Civil Service employee. He said he feels very strongly that we need a strong code of ethics on the Town level and on every level of government. He said under the proposed law he would be required to fill out a form for the Town of Clarkstown and he will be required to fill out a form in his full time position in the State of New York. He said he has no problem filling out forms because he said everything that we can do, both as civil service employees and as elected or appointed officials, we should do to establish with the people, the taxpayers, that we are people of high standards, that we have nothing to hide. He said he felt very strongly that anything we can do to improve the image or create a better image with the general public serves the best interest of the people and serves the best interest of government.

Mr. Cuff said he does not honestly believe that any person who holds a position of higher authority within a political party should be in any position in government where it would cast a shadow on government. He feels people have to make a choice. If they want to be in the hierarchy of politics, that's fine. If they want to hold a responsible position in government, that's fine. But he did not think that they could do the two and serve the best interests of the people or present the proper image to the people in the community.

Continued on Next Page

Appearance: Mr. Robert Kotecha, Chairman  
Ethics Panel

Mr. Kotecha said he would like to provide some answers to the questions raised tonight and to some of the questions that may be in people's minds. He said he brought experts with him: Binnie Nelson, Dorinda Mittiga and Victor Vitale. He said these people would be happy to answer any questions tonight.

Mr. Kotecha said the question raised by Mr. Lodico refers to the item which says employees of the Town should do their best not to be politically involved. As an ethical body, and they consider all Town employees to be ethical, they have the right to decide whether they want to be leaders of political parties above those of being a committee member or do they want to work for the Town. The choice is theirs. They can be one or the other. The reasoning behind it is very simple. The reasoning is in government we want people who are working for the government to do the work that they were elected or chosen to do, not to get involved in day to day politics.

Mr. Kotecha said secondly, by being involved in politics they can get themselves to a level where they want to be elected and that's fine. They are allowed to be elected and work for the government if you are going to be at a very high policy level. The other people, who should not be, are those who are in policy making positions and there the reason being is, if you are going to be in policy making positions in both the political party as well as the Town, it gives people the impression that you are doing things only for the benefit of one party. How do we go about separating that gray area in peoples' minds is the reason we chose to write what we did.

Mr. Kotecha said the idea of people not being required to file disclosure statements was brought up as a problem. He said the panel feels very strongly that financial disclosure statements are there to prove to the general public that there is nothing unethical being done by any of our members on the Town Board as well as members who work here. How does one go about proving to people that all of us are ethical people, that we are doing the right thing, that we have nothing to hide? There is no way for people to understand that unless there is something which clearly shows to an Ethics Board that "here are my statements, here are my financial disclosures." They are not public statements. They are private statements. They are confidential. Therefore, there should be nothing to hide.

Councilman Kunis said individuals holding political office higher than a committee person could not be employed by the Town. What if you are a committee person? Mr. Kotecha said if you are just a simple member you are allowed. Councilman Kunis said the law reads now that a Republican or Democratic committee person can serve on the Ethics Panel. Under the new law, can that same committee person be a member of the new Ethics Panel? Mr. Kotecha said if you are a committee member without a high position, such as Chairman or Vice-Chairman of the Committee, yes. Councilman Kunis said if you are a Republican Committeeman, can you serve as a member of the Ethics Board? Mr. Kotecha said yes. Councilman Kunis said then you are asking the Republican Committeeman as a member of the Ethics Board to judge another political person and perhaps this judgement results in a crime.

Councilman Kunis asked could a committee person in a political party serve on the Ethics Board? Deputy Town Attorney Mark Posner said under the new law, no. Mr. Posner said under his

Continued on Next Page

proposed Ethics Law and under the citizens panel review that has not changed. What he was highlighting for the Board under number 3 was a change involving people who are Town employees, higher than a committee person in a political party, serving on something other than the Ethics Board or another position in the Town. Councilman Kunis said then a member of the Ethics Board could be considered a Town employee too, right? Mr. Posner said yes, but this is a general statement. Councilman Kunis said then shouldn't this be clarified then. Mr. Posner said this is a general statement not addressing the issue of the Ethics Board. The Ethics Board was not one of the changes that the Citizens Panel made and that's what he was highlighting here. Mr. Kotecha said he was referring to the Ethics Panel. Mr. Kotecha said the idea would be to try to keep the Ethics Board entirely separate from political influence.

Councilman Maloney said the reason for the financial disclosure would be that it would be almost the best way of indicating that a person was acting ethically and above board. Mr. Kotecha said yes, that he was not receiving any financial gift of a large amount, that there was no steady increase in his income which was being buried or getting money from God knows where. There are ways he could prove by keeping good records that the person has been earning what he is supposed to be earning and that he has made the money in an appropriate manner and this way we can very carefully track things. Every July and every September the Board will get a report from the Ethics Board stating what they have found. Only things of a general nature will be known. You will not be told what the confidential information consisted of. That will be their job and that is the way it should be. You should not be involved in any of that. Mr. Kotecha said if the Board finds out something really wrong then there are ways to take care of it, either by a fine or by taking them to court.

Councilman Maloney asked about the concerns raised by the CSEA employees, etc.. Mr. Kotecha said it is a concern of theirs but only policy making people are being asked to file the forms. He said if you notice in the law there is a list of people that we have reduced it down to. He said his estimate, without knowing all the employees, is roughly 100 members. Other than those who are in policy making positions we are not asking every employee to file the forms.

Appearance: Irene Saccende, President-Elect  
CSEA

Mrs. Saccende said many of the titles that have been termed "policy making titles" are not policy making titles. Any violation or anything sent out by members of her Department (Building Department) are co-signed and witnessed by Gerald Colucci, the Building Inspector. Any decision in the field which is difficult we must come back and discuss with the Building Inspector before they go out. Many other departments that are on this policy making listing are under similar circumstances in their departments. She would like that reviewed very carefully before anything is decided on that.

Mrs. Saccende said in her opinion only, she would like to see all financial and any disclosures filed not within the Town of Clarkstown. If they must be filed, she would like them filed in a depository in Albany. She said she would not like to see them filed in the Town. She said she does not have that much confidence in the confidentiality of any Town Board.

Mr. Posner said with regard to those people who are deemed to be policy making that is something which the Town Board, under the proposed legislation, would be reviewing in the months of January and February of each and every year. The Town Board would list all of those positions which they deem to be policy making. Whether or not the Town Board includes the positions that you mentioned this year they still can review it on each subsequent year.

Continued on Next Page

Mr. Posner said with respect to the depository of the financial disclosure forms, under the proposed legislation, there is an option for the Town Board to consider as to the form it wishes to take in passing this legislation. It can direct that the Ethics Board be the depository for the disclosure forms or it can mandate that the Temporary Commission on Local Government Ethics be the depository for the forms. Under those conditions New York State Temporary Commission on Local Government Ethics would also have the responsibility of reviewing the forms to see who filed, who did not file, the completeness of the filing, granting any extensions, etc. Basically, all the duties which would be the purview of the Ethics Board here would then be transferred up to the Temporary State Commission. That is an alternative that the Town Board can consider.

Appearance: Mrs. Dorinda Mittiga  
Congers, New York

Mrs. Mittiga said she found it rather ironic that Mrs. Saccende would like the statements to be filed out of town because you can't have too much trust in the people who are entrusted to keep them confidential. It does say something rather portentous about our ethics in the Town.

Mrs. Mittiga said in response to Mr. Blackman's wishing to have this put on a back burner, there is an election coming up. This law has been the focus of a lot of talk and attention in the Town. A lot of people will be looking to see that this law is dealt with expeditiously. This is not something that we can shelve and people will forget about it in time. She said the Town Board has the duty to provide the people in this Town with a law that let's them have confidence in the people they have elected. If a law is enacted that ensures that people can trust the people that they are represented by then it should not be pushed aside or spoken about in such a harsh manner as it effects different people and there is talk about people's civil rights being violated, etc.

Mrs. Mittiga said if there was a law that precluded all of this from going on the rumor would never have any life or a chance to breathe. If we enacted a good law which would prevent even a rumor from coming to life it can only speak well of you people here who took a hand in enacting the law and us people out there who will have that much more confidence in the people we elected.

Mr. Glen Blackman mentioned again the revision of Number 3 requiring the people above committee status on political parties to either give up that status or have them resign from employment because you would not be able to technically discipline them and remove them from service. Supervisor said what sections do you really have problems with? The Town would like to adopt a law that improves upon the one that we have based upon the recommendations of the Ethics Panel. We would consider some of the specific things you are saying because we don't want to get involved in all sorts of litigation but we do want to approve an Ethics Law. He asked Mr. Blackman to highlight the issues and we can think about them.

Mr. Blackman said he does not feel that this is the appropriate forum if we were to negotiate any of the subject material of the Ethics Law. He said he would be glad to meet with the Board in the next several days. Supervisor asked if he was speaking about the whole law. Mr. Blackman said not the whole law but there are certain parts that he would like to meet with the Board about and discuss which we feel are subject to negotiation. He did not feel that an open forum right here would be the place to hold negotiations.

Councilman Carey asked if Mr. Blackman was an attorney. Mr. Blackman said he is a Labor Relations Specialist for CSEA. Councilman Carey asked Mr. Blackman to have his attorney talk

Continued on Next Page

to one of our Town Attorneys. Mr. Blackman said he represents CSEA and it is not necessary to have an attorney speak directly to the Town Attorney. Town Attorney Murray Jacobson said he would appreciate receiving a copy of the decision of PERB to which Mr. Blackman had referred earlier. Mr. Blackman said that would be no problem.

Mr. Blackman went on to say that they feel that the titles listed in the proposed law are not necessarily policy making people. He said they have no objection to limiting it to just elected officials. He felt that saying certain people are policy making people when they are not may be an issue. In terms of someone who is on a political committee we don't feel that they should have to give up their main source of income to serve on a political party. That is their fundamental freedom as a citizen of the United States of America. We function as a democracy and they have the right to join any political party they wish free from interference.

Appearance: Mr. Nicholas Longo  
38 Pondview Drive  
Congers, New York

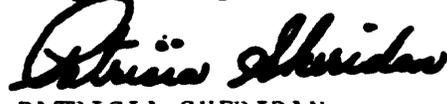
Mr. Longo said he has no problem with the financial disclosure portion of the proposed ethics law. He stated that we do need such a law and it should be adopted rather quickly. However, he said he did not think that political leaders should be singled out and not be able to hold jobs in Town Hall above that of committeeman. He said it is our right if we want to be political leaders do be political leaders as long as it doesn't interfere with the workings of government. He said policy making is the job of the Town Board not the job of the subordinates in Town Hall.

Appearance: Victor Vitale, Esq.  
West Nyack, New York

Mr. Vitale said he wished to address himself to Item No. 3. He said there is a perception among the public of undue political influence from political party leaders in this Town who serve in Town government. It is not violating their civil rights. He cited that it was recently reported in the media that several officials of the Communist Party in Yugoslavia joined the Yugoslav Government. It is a rule in the Communist Party in order to avoid undue influence of party over government they had to resign. I don't think it interferes with the rights of people in this Town.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 10:43 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk