

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

251

Town Hall

9/26/89

8:00 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Mark Posner, Deputy Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor declared public portion of the meeting open.

Appearance: Mr. Orin Goetz
5 Carlisle Court
New City, New York

Mr. Goetz discussed the new bus service across the Tappan Zee Bridge. He mentioned the condition of the bus shelter at Route 59 and Route 303 and stated that it needed a good cleaning. He said the County is in the process of negotiating for bus shelters throughout the Town and they would like these to be attractive and convenient for people who ride the buses. He recommended the Town look into the maintenance of these bus shelters.

Supervisor said that would be taken care of.

Mr. Goetz mentioned that the Commissioner of Transportation, Franklin White, had visited Rockland County and he said Route 303 is at the top of their agenda for work to be done. He said if the Town has any input as to what could be done to improve Route 303 on an emergency basis he would suggest that some recommendations be sent through to the Commissioner as it is a very critical and dangerous highway.

Supervisor stated that the State already has our recommendations on Route 59 which they are implementing. He said Mr. Goetz' point was well taken.

Appearance: Dr. Jack Bosches
New City

He stated he was a chiropractor in New City. He said at a workshop hearing last week it was agreed upon among the Supervisor and council members that home occupation zoning would be looked into. He said he was told that at this meeting you would have a resolution prepared by the Town Attorney permitting a grandfather clause regarding this.

Supervisor stated that Town Attorney Murray Jacobson has been sick since that time so it was unable to be done. However, he stated that it would be done. There will be no public hearing until that language is incorporated into the text. Supervisor said hopefully by the next meeting you will have the language. We will then refer it out and set a date for the hearing.

Both the Supervisor and Councilman Maloney said the grandfather clause will be there.

Appearance: Mr. John Cuff
West Nyack, New York

Mr. Cuff spoke regarding the preliminary budget and said it should be available to the public on Friday. Supervisor said that is correct.

Mr. Cuff asked about the Code of Ethics. He said we have had the Blue Ribbon Panel report made to the Board several months ago with their recommendations. It has received a lot of publicity and he thinks it is time for the Town Board to come forth

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and let the people know just what we can expect from Town Hall in regard to Ethics. He asked if that would be taken care of in the near future? Supervisor answered in the affirmative and said probably by the next meeting.

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

Mr. Dusanenko spoke regarding recycling and the separation of items. He asked if the citizens are going to be charged to get this picked up? Supervisor said there is a recycling charge for pickup for all 1, 2 and 3 family households in the Town of Clarkstown right now. Mr. Dusanenko said, in other words, the citizens are doing the right job and they are going to be charged for carting it away. Supervisor said they are going to be charged for the recycling pickup - about \$30.00 per year. Mr. Dusanenko said that is being charged. Supervisor said you must pick up the recyclables some way and that is better than sending 85,000 people to the Landfill with their recyclables. Mr. Dusanenko said they are picking up the garbage now without having an extra charge and now we are separating everything and we are being charged. Supervisor said if they were not separating everything they would have to pay more.

Appearance: Mr. Bruce Broadley
West Nyack, New York

Mr. Broadley spoke regarding recycling and said it is a good way to try to avoid incineration and the forced placement of an incinerator in West Nyack by the State. He said we have been reading that with the recycling of glass, the residents should tie their newspapers up and place them next to the bin. He noted that the next thing to be recycled is plastics. Then what happens to the bottles? He said we are developing a program that will be too difficult to use and people will not voluntarily participate. In other words the next thing you are going to do is give us three bins and that's okay except for one small problem. If you have three bins of the type that we have, you have what is called a large footprint because you have to put one beside the other. Orangetown was smarter - their bins stack and have cut outs where you put things in. This is a good idea because you want to make the program work.

Mr. Broadley discussed the merits of garbage disposals and said the Board might consider requiring all residents to install them in their homes. Between that and a good recycling program you can probably significantly reduce the present waste stream in the homes.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Shady Brook Lane and Pine Lane, New City was opened, time: 8:10 P.M.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Public Hearing re: Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Shady Brook Lane and Pine Lane, New City was closed, ORDER SIGNED, time: 8:11 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Local Law - Property Maintenance - Dumpsters - was opened, time: 8:12 P.M.

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RESOLUTION NO. (894-1989) Continued

6. All structures shall meet the setback requirements of the zoning district applicable to the property;

7. Site plan approval is required from the Planning Board;

8. Retail sales or service may be permitted in a separate free standing building no larger than 4,000 square feet. Retail sales shall be limited to those items supporting the mini-warehouse use, including, for example, moving pads, cartons, hand trucks, trailer hitches and similar materials;

9. The maximum overall height of the mini-warehouse shall not exceed two stories or twenty four (24) feet;

10. There shall be no parking requirements for a mini-warehouse use except as set forth in Paragraphs "2" and "5" aforesaid."

Amend Use Tables 12, 14 and 15 for LIO, RS, M, Column 4, to allow administrative office and caretakers dwelling as a permitted general accessory use to mini-warehouse.

Amend Use Tables 12, 14, and 15 for LIO, RS, M, Column 6, to require parking as follows:

<u>For</u>	<u>At Least 1 Parking Space for Each</u>
"Mini-Warehouse	None
Administrative Office	150 sq. ft. of gross floor area
Caretakers Dwelling Unit	2 parking spaces
Retail Sales	1 parking space per 300 sq. ft.
Outside Storage of Vehicles and Equipment	For each vehicle, such as a recreational vehicle for rent, 1 parking space or as determined by the Planning Board"

Amend Use Tables 12, 14, and 15 for LIO, RS, M, Column 7, to require loading as follows:

Mini-warehouse sites - See Section 106-16R (3)

Amend Use Tables 12, 14, and 15 for LIO, RS, M, Column 3, B, Town Board to add "Mini-Warehouses."

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. Kunis

Councilman Carey stated that he was opposed. He felt our zoning was slipping away from us. He stated that our gas stations are now mini A & P's and by allowing this we are allowing the same thing in the general direction of that zoning. He was voting no.

On roll call the vote was as follows:

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

RESOLUTION NO. (897-1989) Continued

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 79 (PROPERTY MAINTENANCE)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 28th day of November, 1989, at 8:05 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

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. (898-1989)

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

Co. Kunis offered the following resolution:

WHEREAS, a written Petition dated July 3, 1989 in due form containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply district in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 24th day of October, 1989 at 8:15 P.M. DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey

On roll call the vote was as follows:

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RESOLUTION NO. (898-1989) Continued

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

RESOLUTION NO. (899-1989)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
586 BREWERY REALTY, INC.

Co. Kunis offered the following resolution:

WHEREAS, a written Petition dated June 15, 1989 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(Description on File in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 24th day of October, 1989, at 8:20 P.M. DS time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Carey

On roll call the vote was as follows:

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

RESOLUTION NO. (900-1989)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
AVIS THROUGH DRIVE AND PARK
INC. - CHARGE TO ACCOUNT
NO. A 3120-203

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into a rental agreement with Avis through Drive and Park Inc., for the rental of one vehicle, or substituted vehicle, for the Clarkstown Police Special Investigations Unit, and said agreement shall include a hold harmless clause in favor of Avis and Drive and Park Inc., and be it

FURTHER RESOLVED, that the fee for such vehicle, or substituted vehicle, shall not exceed the sum of \$400.00 per month for a period of one year commencing the day of execution of the agreement referred to herein, and be it

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RESOLUTION NO. (900-1989) Continued

FURTHER RESOLVED, that said sum shall be charged to
Account No. A-3120-203.

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. (901-1989)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #70-1989 -
PRINTING OF TOWN STATIONERY
& ENVELOPES

Co. Smith offered the following resolution:

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

BID #70-1989
PRINTING OF TOWN STATIONERY & ENVELOPES

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, October
30, 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

Councilwoman Smith asked Director of Environmental
Control, Les Bollman, what was the Town that had the recycled
paper? Mr. Bollman said that was Sullivan County and he had spoken
with Larry Kohler, Director of Purchasing and he is going out to bid
both ways.

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. (902-1989)

AWARDING BID FOR BID
#60-1989 - REPAIRS TO
CATERPILLAR 826 COMPACTOR -
SERIAL NO. 87X307 (FOLEY
MACHINERY)

Co. Maloney offered the following resolution:

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

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RESOLUTION NO. (902-1989) Continued

BID #60-1989
REPAIRS TO CATERPILLAR 826
COMPACTOR - SERIAL NO. 87X307

is hereby awarded to

FOLEY MACHINERY CO.
855 CENTENNIAL AVENUE
PISCATAWAY, N.J. 08855

PRINCIPALS: E. J. FOLEY III
JOHN C. FOLEY

as per their total low bid proposal of \$13,974.00.

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. (903-1989)

ACCEPTING DEEDS FOR ROAD
WIDENING PURPOSES ALONG
SOUTH HARRISON AVENUE,
CONGERS (VOGEL) AND
RAILROAD AVENUE, CONGERS
(BACHELLER)

Co. Maloney offered the following resolution:

WHEREAS, as a condition to the approval of the final map with regard to a subdivision known as "Subdivision Plat for Bacheller & Vogel, the Planning Board of the Town of Clarkstown requested a deed for drainage purposes and deeds for road widening purposes along Railroad Avenue and South Harrison Avenue in Congers, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown deed dated September 11, 1989, from Frederick Vogel and Elfriede Vogel to the Town of Clarkstown for road widening purposes along South Harrison Avenue, Congers, New York, and deeds dated September 12, 1989, from Elaine Bacheller to the Town of Clarkstown for road widening purposes along Railroad Avenue, Congers, New York, and a drainage easement 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. (904-1989)

ACCEPTING DEED FOR ROAD
WIDENING PURPOSES ALONG
SOUTH GRANT AVENUE AND
SOUTH CONGER AVENUE,
CONGERS (BETH NOELLE
PHILLIPS)

Co. Maloney offered the following resolution:

RESOLVED, that deed dated July 18, 1989, from Beth Noelle Phillips to the Town of Clarkstown for road widening purposes along South Grant Avenue and South Conger Avenue, Congers, New York, required in connection with ZBA Appeal No. 2182, is hereby accepted upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, 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. (905-1989)

TRANSFERS OF FUNDS -
VARIOUS ACCOUNTS (PARKS AND
RECREATION)

Co. Carey offered the following resolution:

RESOLVED, to decrease Appropriation Account No. A 1621-312 (Warehouse-Auto Maintenance Supplies) by \$250.00 and to increase Appropriation Account No. A 1621-209 by \$250.00, and

RESOLVED, to decrease Appropriation Account No. A 7020-201 (Parks & Recreation-Furniture & Fixtures) by \$200.00 and to increase Appropriation Account No. A 7020-313 (Parks & Recreation-Office Supplies & Printing) by \$200.00, and

RESOLVED, to decrease Appropriation Account No. A 7020-204 (Parks & Recreation-Office Machines) by \$130.00 and to increase Appropriation Account No. A 7020-366 (Parks & Recreation-Photographic Supplies) by \$130.00, and

RESOLVED, to decrease Appropriation Account No. A 7140-110 (Parks & Playgrounds-Salaries) by \$7,800.00 and to increase Appropriation Account No. A 7140-323 (Parks & Playgrounds-Chemicals) by \$800.00, Appropriation Account No. A 7140-380 (Parks & Playgrounds-Paint & Paint Supplies) by \$700.00, Appropriation Account No. A 7140-385 (Parks & Playgrounds-Cutting Edges, Chains) by \$800.00, Appropriation Account No. A 7140-407 (Parks & Playgrounds-Equipment Repairs) by \$3,000.00 and Appropriation Account No. A 7140-408 (Parks & Playgrounds-Building Repairs & Improvements) by \$2,500.00, and

RESOLVED, to decrease Appropriation Account No. A 7141-199 (Community Recreation Centers-Salary Savings-Vacation Buyback) by \$633.83 and to increase Appropriation Account No. A 7310-199 (Youth Programs-Salary Savings-Vacation Buyback) by \$633.83, and

RESOLVED, to decrease Appropriation Account No. A 7310-424 (Youth Programs-Contractual Expenses) by \$5,000.00 and to increase Appropriation Account No. A 7310-329 (Youth Programs-Recreational Supplies) by \$5,000.00, and

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RESOLUTION NO. (905-1989) Continued

RESOLVED, to decrease Appropriation Account No. A 7310-424 (Youth Programs-Contractual Expenses) by \$220.00 and to increase Appropriation Account No. A 7310-409 by \$220.00, and

RESOLVED, to decrease Appropriation Account No. A 7610-424 (Programs for the Aging-Contractual Expenses) by \$5,000.00 and to increase Appropriation Account No. A 7610-329 (Programs for the Aging-Recreational Supplies) by \$5,000.00, and

RESOLVED, to decrease Appropriation Account No. A 7620-419 (Adult Activities-Misc. Services) by \$50.00 and to increase Appropriation Account No. A 7620-329 (Adult Activities-Recreational Supplies) by \$50.00, and

RESOLVED, to decrease Appropriation Account No. A 7310-424 (Youth Programs-Contractual Expenses) by \$2,350.00 and to increase Appropriation Account No. A 7620-409 (Adult Activities-Fees for Services) by \$2,350.00, and

RESOLVED, to increase Estimated Revenue Account 01-002001 (Parks & Recreation Charges) by \$30,500.00 and to increase Appropriation Account No. A 7141-306 (Community Recreation Centers-Maintenance Supplies) by \$2,000.00, Appropriation Account No. A 7141-329 (Community Recreation Centers-Recreation Supplies) by \$4,000.00, Appropriation Account No. A 7310-111 (Youth Programs-Overtime) by \$500.00, Appropriation Account No. A 7310-114 (Youth Programs-Part-time) by \$20,000.00 and Appropriation Account No. A 7620-409 (Adult Activities-Fees for Services) by \$4,000.00.

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. (906-1989)

DECREASING CONTINGENCY
ACCOUNT A 1990-505 AND
INCREASING APPROPRIATION
ACCOUNT A 7550-409 (FEES
FOR SERVICES)(BICENTENNIAL
COMMISSION)

Co. Carey offered the following resolution:

RESOLVED, to decrease Contingency Account A 1990-505 and increase Appropriation Account A 7550-409 (Fees for Services) by \$833.00.

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. 907-1989)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT FOR
TECHNICAL SERVICES TO
OBTAIN PERMIT FOR
ADDITIONAL COMPOSTING SITE
(LENTY, INC.) - CHARGE TO
SR-8160-409-2

Co. Carey offered the following resolution:

WHEREAS, the Town of Clarkstown has established a Sanitation and Refuse Garbage District as part of an overall program for solid waste management; and

WHEREAS, the Town Board of the Town of Clarkstown has implemented a leaf composting program at French Farms; and

WHEREAS, an additional composting site is necessary to take overflow leaves from the French Farms facility, to take leaves from other sources at a fee, and to investigate the possibility of composting grass, brush, chips and trimmings;

NOW, THEREFORE, be it it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney with Lenty, Inc., which shall provide technological assistance necessary to obtain a permit from New York State DEC on the Town's property just north of the landfill for a one-time cost of \$4,000; and be it

FURTHER RESOLVED, that charges pursuant to this resolution shall be paid from SR-8160-409-2.

Seconded by Co. Maloney

Councilman Kunis referred to the contract and stated that we are getting \$5.00 per yard from New Jersey. He asked how does a yard equate to a ton. It costs us \$20.00 per ton for grass and \$15.00 per ton for brush. Are we ahead of the game? Mr. Bollman said the contract we have now for leaves - we are at the point now where any additional leaves you take in costs \$1.00 per yard to compost so if you're getting \$5.00 we're netting \$4.00 for profit. In one place you're getting \$5.00 and the other you're getting \$5.50 for \$1.00 a yard. Supervisor interjected if we get the permit from the DEC.

Councilwoman Smith said that is on the commodities. She asked Mr. Bollman if he could figure out exactly - \$45,000.00 if we need a piece of equipment - what we have already spent in the past composting - manhours, trucks, etc. versus what we have given to Lenty and everything? She said she is not opposed to extending this because it is something we all want to do but we have to have an idea of what the real costs are if \$4,000.00 is the permit fee.

Mr. Bollman said the \$4,000.00 is only the permit fee. Mr. Bollman said he could tell the Board right now exactly what we paid Lenty last year for the leaves we composted and that if Mr. D'Antoni (Superintendent of Highways) would assist me and put the figures together of what effort and time and equipment were expended we would try to give you the actual cost. Councilwoman Smith said she would like it as close as possible.

Councilwoman Smith said currently we are sending our recyclables to Carbone. Do we have a contract? Mr. Bollman said no. Councilwoman Smith asked how are we paying or being paid? Mr. Bollman said we are receiving money on what is basically an informal agreement right now between Mr. Carbone and myself or the Town. He said he did not want to go to a formal agreement until he had a formal permit in effect.

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RESOLUTION NO. (907-1989) Continued

Councilwoman Smith asked if there was anything in writing more than verbally? What are you getting for recyclables? Mr. Bollman said we are getting \$10.00 per ton for glass and he believed it was \$40.00 per ton for the aluminum but the aluminum has been almost non-existent. If people bother putting them in a basket at all, they take them down to their supermarket redemption center.

Councilwoman Smith asked if we had given authorization for them to experiment with the food waste? Mr. Bollman said no, the only thing we are talking about here are grass clippings. He said the cost might seem high - \$15.00 and \$25.00 - but if we are looking at a cost of \$70.00, \$80.00, or \$90.00 per ton to dispose of it - that's why we were going to look at bringing in those figures to see how much cheaper or what the savings would be - total cost again, as you had asked for - sending it to the Landfill and paying for it to be carted someplace.

Councilwoman Smith said that she understood the cost avoidance and all of that but she thought in reality we should be able to itemize exactly what all of these programs are costing us. 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. (908-1989)

ACCEPTING DEDICATION OF 50 FOOT RIGHT-OF-WAY (MAP 4335) AND A 60 FOOT RIGHT-OF-WAY (MAP 4860) MINOR SUB-DIVISION FOR NED A. BESSO)

Co. Maloney offered the following resolution:

WHEREAS, the Planning Board of the Town of Clarkstown approved a minor subdivision for Ned A. Besso, which subdivision was filed in the Rockland County Clerk's Office in Book of Maps 84 at Page 62, Map No. 4335, on September 28, 1972, and Section 2 revised minor subdivision for Ned A. Besso, which was filed in the Rockland County Clerk's Office in Book of Maps 91 at Page 66, Map No. 4860, and

WHEREAS, such Map No. 4335 irrevocably offered for dedication a fifty (50) foot right-of-way shown on said subdivision plat running from parcel 2 on said map to Route 59, and

WHEREAS, said subdivision Map No. 4860 irrevocably offered for dedication a sixty (60) foot right-of-way, and

WHEREAS, it would be in the public interest to accept dedication of said fifty (50) foot right-of-way shown on Map No. 4335 and a sixty (60) foot right-of-way shown on Map No. 4860;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts dedication to the Town of Clarkstown of the fifty (50) foot right-of-way shown on Map No. 4335 and the sixty (60) foot right-of-way shown on Map No. 4860.

Seconded by Co. Kunis

On roll call the vote was as follows:

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RESOLUTION NO. (908-1989) Continued

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

RESOLUTION NO. 909-1989)

ACCEPTING RESIGNATION (BY
RETIREMENT) OF CLERK TYPIST
- TOWN JUSTICE DEPARTMENT
(RITA SAKOWICZ)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation (by retirement) of Rita Sakowicz, 2 Teakwood Lane, New City, New York - Clerk Typist - Town Justice Department - is hereby accepted - effective September 30, 1989.

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. (910-1989)

APPOINTING TO POSITION OF
OFFICE WORKER STUDENT -
TOWN JUSTICE DEPARTMENT
(CHRISTOPHER ROMAINE)

Co. Maloney offered the following resolution:

RESOLVED, that Christopher Romaine, 3 Pennypacker Road, Congers, New York, is hereby appointed to the position of Office Worker Student - Town Justice Department - at the current 1989 hourly rate of \$4.00, effective September 27, 1989.

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. (911-1989)

ACCEPTING RESIGNATION OF
MEMBER - CONSUMER AFFAIRS
COMMISSION (MARY JANE
DINEEN)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Mary Jane Dineen, 36 Carolina Drive, New City, New York - Member - Consumer Affairs Commission - is hereby accepted - effective and retroactive to September 13, 1989.

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RESOLUTION NO. (911-1989) Continued

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (912-1989)

RECLASSIFYING POSITION OF
CLEANER (ENCUMBERED BY
BRADFORD O'DELL) TO SENIOR
CLEANER - HIGHWAY
DEPARTMENT -

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 11, 1989 that the position of Cleaner in the Highway Department (encumbered by Bradford O'Dell) can be reclassified to the position of Senior Cleaner,

NOW, THEREFORE, be it

RESOLVED, that the position of Cleaner is hereby reclassified to the position of Senior Cleaner - effective October 2, 1989, and be it

FURTHER RESOLVED, that the grade for the position of Senior Cleaner is hereby established at a grade 16.

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. (913-1989)

RECOGNIZING APPOINTMENT BY
SUPERINTENDENT OF HIGHWAYS
OF SENIOR CLEANER - HIGHWAY
DEPARTMENT (BRADFORD O'DELL)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Bradford O'Dell, 2 Dutch Lane (Apt. 2M), Spring Valley, New York, as a Senior Cleaner - Town Highway Department - at the current 1989 annual salary of \$24,879.00, effective October 2, 1989.

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. (914-1989)

AUTHORIZING ATTENDANCE AT
GOVERNMENT FINANCE
OFFICERS' DOWNSTATE COUNCIL
SEMINAR (SMITH, SQUILLACE,
LODICO, FOGEL AND KEVANE) -
CHARGE TO APPROPRIATION
ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Paul Schofield, Councilwoman Ann Marie Smith, Elizabeth Squillace, Dolores Lodico, Doris Fogel and Eileen Kevane are hereby authorized to attend the Government Finance Officers' Downstate Council Seminar on October 6, 1989 at West Point, New York, and be it

FURTHER RESOLVED, that all necessary expenses be charged against Appropriation Account A 1010-414.

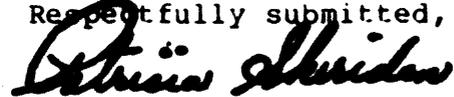
Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 8:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/26/89

8:10 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Mark Posner, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT
NO. 1 TO INCLUDE SHADY LANE AND PINE LANE, NEW CITY

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

Supervisor stated that during the summer, there was a series of contaminated wells in New City which necessitated the involvement of the Health Commissioner, the water company and the Town of Clarkstown. He stated that he and Councilwoman Smith attended a meeting where this was worked out among the residents so that water mains were put in and they only had to pay for the hookup from the house installation to the pipe. This involved approximately 16 residences. He gave credit to Dr. Praiss (Rockland County Health Commissioner), the water company and Councilwoman Smith for helping out in this endeavor.

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

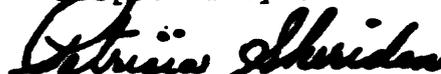
No one appeared.

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

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, ORDER SIGNED, time: 8:11 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (911-1989) Continued

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (912-1989)

RECLASSIFYING POSITION OF
CLEANER (ENCUMBERED BY
BRADFORD O'DELL) TO SENIOR
CLEANER - HIGHWAY
DEPARTMENT -

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 11, 1989 that the position of Cleaner in the Highway Department (encumbered by Bradford O'Dell) can be reclassified to the position of Senior Cleaner,

NOW, THEREFORE, be it

RESOLVED, that the position of Cleaner is hereby reclassified to the position of Senior Cleaner - effective October 2, 1989, and be it

FURTHER RESOLVED, that the grade for the position of Senior Cleaner is hereby established at a grade 16.

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. (913-1989)

RECOGNIZING APPOINTMENT BY
SUPERINTENDENT OF HIGHWAYS
OF SENIOR CLEANER - HIGHWAY
DEPARTMENT (BRADFORD O'DELL)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Bradford O'Dell, 2 Dutch Lane (Apt. 2M), Spring Valley, New York, as a Senior Cleaner - Town Highway Department - at the current 1989 annual salary of \$24,879.00, effective October 2, 1989.

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. (914-1989)

AUTHORIZING ATTENDANCE AT
GOVERNMENT FINANCE
OFFICERS' DOWNSTATE COUNCIL
SEMINAR (SMITH, SQUILLACE,
LODICO, FOGEL AND KEVANE) -
CHARGE TO APPROPRIATION
ACCOUNT NO. A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Paul Schofield, Councilwoman Ann Marie Smith, Elizabeth Squillace, Dolores Lodico, Doris Fogel and Eileen Kevane are hereby authorized to attend the Government Finance Officers' Downstate Council Seminar on October 6, 1989 at West Point, New York, and be it

FURTHER RESOLVED, that all necessary expenses be charged against Appropriation Account A 1010-414.

Seconded by Supv. Holbrook

On roll call the vote was as follows:

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

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the Town Board Meeting was declared closed, time: 8:40 P.M.

Respectfully submitted,
Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/26/89

8:10 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Mark Posner, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT
NO. 1 TO INCLUDE SHADY LANE AND PINE LANE, NEW CITY

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

Supervisor stated that during the summer, there was a series of contaminated wells in New City which necessitated the involvement of the Health Commissioner, the water company and the Town of Clarkstown. He stated that he and Councilwoman Smith attended a meeting where this was worked out among the residents so that water mains were put in and they only had to pay for the hookup from the house installation to the pipe. This involved approximately 16 residences. He gave credit to Dr. Praiss (Rockland County Health Commissioner), the water company and Councilwoman Smith for helping out in this endeavor.

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

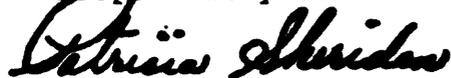
No one appeared.

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

No one appeared.

On motion of Councilman Maloney, seconded by Councilman Carey and unanimously adopted, the public hearing was declared closed, ORDER SIGNED, time: 8:11 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/26/89

8:12 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Mark Posner, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO THE TOWN CODE OF THE TOWN OF CLARKSTOWN
(PROPERTY MAINTENANCE - DUMPSTERS)

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing.

Supervisor stated that he had spoken with the Town Attorney's office and there is a problem with publication. The hearing would be opened and recessed until November 28, 1989.

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing was declared recessed until November 28, 1989.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. 897-1989 WAS ADOPTED
SETTING THIS MATTER FOR PUBLIC HEARING
ON NOVEMBER 28, 1989 at 8:05 P.M.)

TOWN OF CLARKSTOWN
PUBLIC HEARING

273

Town Hall

9/26/89

8:15 P.M.

Present: Supervisor Holbrook
Council Members Carey, Kunis, Maloney and Smith
Mark Posner, Deputy Town Attorney
Patricia Sheridan, Town Clerk

RE: AMENDMENT TO THE ZONING ORDINANCE - SECTION 106 (MINI WAREHOUSE)

On motion of Councilman Maloney, seconded by Councilman Kunis 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 called upon Mr. Bob Geneslaw to give an explanation of the proposed amendment. Mr. Geneslaw stated that this is the most recent in a series of three or four versions of an amendment to the zoning code that would permit mini warehouses. Each time that it has come before the Board there have been suggestions from one of two different representatives of two different properties or from the Building Department or from the Planning Board.

Mr. Geneslaw went on to state that the proposal that you have before you now includes many of the suggestions made by those various representatives. It has been referred and recommended by the Planning Board. We have not heard anything from the Building Department on the last version and we believe it also generally meets the criteria that was requested by the property owners involved. As you may recall there was a question as to whether or not the change in zone should permit some limited resale use and that has been included to limit it in area and to limit it to things that are related to the mini warehouse operation itself. He said he was available if anyone had any questions.

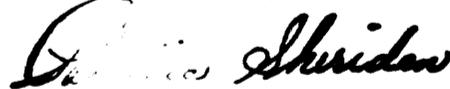
Supervisor asked if anyone had any comments.

Appearance: Henry Horowitz, Esq.
West Nyack, New York

Mr. Horowitz spoke on behalf of one of the owners of a mini warehouse. He noted that this amendment had been adopted previously; then it was rescinded. He said it has been before the Town Planning Board four or five times.

There being no one further wishing to be heard, on motion of Councilman Kunis, seconded by Councilman Maloney with a No vote of Councilman Carey, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:21 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (894-1989 ADOPTED))

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/26/89

8:22 P.M.

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

RE: DECLARING DEFAULT OF ESCROWS (VILLAGE GREEN)

On motion of Councilman Maloney, seconded by Councilman Kunis 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 Holbrook said this public hearing reflects an attempt by the Town and the residents and the new owners of Village Green to resolve long standing problems there. He called upon Deputy Town Attorney Philip Fogel for a report on progress being made on this.

Mr. Fogel stated that the Town currently holds approximately \$39,600.00 in escrow for wearing course and certain miscellaneous landscaping. All of the work for which that money was given has not been completed. It is therefore necessary to default that money and give the entity that deposited that money an opportunity to show that it has done that work.

Mr. Fogel asked the Supervisor to call upon a representative of Village Green Properties, Inc. to present any evidence to the effect that they have completed the work for which the escrow was given.

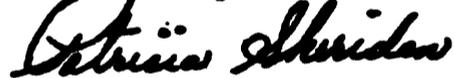
Supervisor asked if there was anyone present from Village Green Properties, Inc., indicating that they have done the work?

No one appeared.

Mr. Fogel said that we could close the public hearing and adopt the necessary resolution subject to receipt of an agreement signed by the current parties.

There being no one further wishing to be heard on motion of Councilman Carey, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed,
RESOLUTION ADOPTED, time: 8:24 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk