

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/13/90

8:30 P.M.

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

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

Supervisor presented the following proclamation:

"NEW YORK STATE RECREATION AND PARK SOCIETY, INC.
50th Anniversary ** 1940-1990

WHEREAS, the NEW YORK STATE RECREATION AND PARK SOCIETY, INC.,
was established fifty years ago in the City of White
Plains, New York, and

WHEREAS, the STATE SOCIETY has played a major role in shaping
recreation and park policies in communities throughout
the State of New York, and

WHEREAS, the Town of Clarkstown has directly benefited from the
programs and services of the NEW YORK STATE RECREATION
AND PARK SOCIETY, INC., and

WHEREAS, the Parks Board and Recreation Commission members and
staff have been associated with this Society for many
years, and

WHEREAS, EDWARD J. GHIAZZA, Superintendent of Recreation and
Parks, served as President of this society from 1975
through 1977,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby
acknowledges and celebrates the 50th Anniversary of the NEW YORK
STATE RECREATION AND PARKS SOCIETY, INC. and may it flourish and
prosper in the years to come.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED THIS 13TH
DAY OF FEBRUARY, 1990.

(S E A L.)

/s/ Charles E. Holbrook
CHARLES E. HOLBROOK, Supervisor
Town of Clarkstown"

Supervisor presented the above proclamation to Mr.
Ghiazza on behalf of the association.

Supervisor asked Mr. Ghiazza how many acres of parkland
we have in the Town of Clarkstown and Mr. Ghiazza said 583 acres of
Town parkland.

Supervisor stated that the public portion of the
meeting was now open.

Appearance: Mr. John Cuff
West Nyack, New York

Mr. Cuff spoke regarding a drainage project in West
Nyack and the possibility of a \$1,000,000.00 windfall going into our
landfill before it closes. He also discussed the possibility of

Continued on Next Page

Nynex coming into our Town. He said he read of these in the newspaper but did not remember hearing anything about them in public discussion.

Supervisor answered at length with regard to the Pyramid landfill situation and the discussions he had with Mr. Valenti and the DEC people in New Paltz.

Supervisor said in regard to the drainage on Route 59 if the silt is classified as industrial waste it can't go into the Landfill prior to May 1st but it could go in if reclassified at a later time. He said all that was determined from the timetable of the closing of our landfill as long as the silt was classified as industrial waste it could not be brought into the landfill after May 1st. It does not mean that the project is not going to go forward period.

Supervisor said with regard to the NYNEX situation there really has only been some preliminary discussions regarding NYNEX with Town officials. We have made it abundantly clear to them that we are desirous of having them in the Town and hopefully they will take that message back with them to their higher-ups.

Supervisor said with regard to removing the contents of the Pyramid landfills and putting them into the Clarkstown Landfill we looked at it from the standpoint of whether that material could be used for cover, which we had thought initially. The State will not allow that for intermediate or final cover. Taking into the Landfill using a tipping fee of \$50.00 per ton if you have 200,000 tons, you are talking about \$10,000,000.00. The only figure forthcoming from Pyramid up to this point has been \$1,000,000.00.

Supervisor said removing the contents of those landfills raises issues in the eyes of the public. Is it safe to remove them? What happens in terms of traffic, etc.? The Town Board has to weigh whether or not it is worth it to bring that issue up for \$1,000,000.00. When you take a look at what the actual tipping fee is and how much tonnage you are talking about you are talking about \$10,000,000.00. All that would have to be done prior to May 1st as well.

Mr. Cuff said if we had DEC supervising this procedure and had the \$1,000,000.00 in hand it would be beneficial. Supervisor said the DEC will not give a stamp of approval stating only that this is a method that could be used as is the method that Pyramid has already put forward to consolidate the sites on their own property. It is only one of the two alternatives. They will agree with either one but are not going to say that this is the best one or this is the one that must be done. That is left up to the Town.

Supervisor said for \$1,000,000.00 if you raise all the questions about the stuff coming out of those landfills and being trucked across it becomes a problem for the Town Board to weigh that vis a vis the public tumult which will certainly come about as a result of that.

Mr. Cuff said he hoped that the drainage project would go through as they have been suffering with that for many years. If we can solve this problem we should certainly do so.

Appearance: Mr. Phillip Bosco
2 Short Street
West Nyack, New York

Mr. Bosco spoke regarding the drainage problem in West Nyack along Route 59 and the resulting difficulties which ensue for all the businesses along there. He felt it was a greater problem than a Town one and is lobbying the County to make it a County project.

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Appearance: Mr. Stanley Pajewski, representing
the Southern Clarkstown Civic Assn.

Mr. Pajewski read a statement regarding the proposed building of the Palisades Center by the Pyramid Corporation as it relates to the drainage problem in the area. This statement is on file in the Town Clerk's office (Pyramid File.)

Appearance: Mr. Armand Miele
Nanuet, New York

Mr. Miele spoke urging the reappointment of Mr. William Nest to the Planning Board. Mr. Miele also spoke regarding the contract with Robert Geneslaw, Inc. as Planning Consultant and asked the Town Board to look into this contract very carefully as he felt there was only negativism from the consultant.

Mr. Miele also spoke regarding the constant changes to the Zoning Ordinance and the resulting problems such as non-conformance.

Appearance: Mr. Michael Merriman
West Nyack, New York

Mr. Merriman spoke regarding Pyramid Corp. He said if Commissioner Chase had asked for Planning Board approval for the planners and the planners had gone against the mall, the Town Board would have had to have a minimum of four favorable votes to approve the mall. He mentioned future development in the West Nyack area and the Route 59 corridor up to Nanuet. He also spoke regarding the future of Route 303.

Mr. Merriman read from a New York Times article regarding funding by the Pyramid Corp. in Poughkeepsie Town Council elections. He referred to questionable practices and noted that Pyramid had declined to comment on any investigations which grew out of charges that wrongdoing had been committed.

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

Mr. Lodico spoke regarding the overt and covert lobbying of unions in the United States for the election of candidates to public office.

Mr. Lodico then spoke regarding NINEX. He said he had read that some Board members were prepared to support an abatement of taxes. He urged careful consideration of this situation. He felt the Board would be giving away taxpayers money if an abatement were granted.

Mr. Lodico then discussed Item 3 on the agenda (Carpenter Environmental Associates) and questioned utilizing public funds for private projects. He wondered when the district would be created for this private property and felt it might be in violation of the law.

Mr. Lodico said he would appreciate it if the Town Attorney would look into the area of creating another word in Item No. 5 (Granting a Special Permit to Conduct a Landfill Operation.) He felt the word "landfill" has a poor connotation. He said the word should denote something more beneficial such as Special Permit to Conduct a Land Reclamation Project.

Appearance: Mr. Milton Chambers
770A Sequoia Drive
Valley Cottage, New York

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Mr. Chambers spoke regarding Item 5 (application for Special Permit for Landfill Operation on Brega property north of Green Avenue in Valley Cottage). He said the Planning Board voted to deny the application and noted that there had also been no site plan before the Planning Board. Granting such a permit before submission of site plans would be sidestepping all the safeguards built in to planned regulations governing low lying lands. He said the Planning Board also noted that the property involved is well below the 100 year flood plain and the fill would substantially affect the area. He said in everyone of the last 14 years his backyard has been under water due to the poor drainage coming from the site in question. He said the Town is well aware of conditions in the area and urged the Board not to permit hasty development of the proposed site.

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

Mr. Horowitz spoke regarding Item 5 also and said all of the reasons for which the Planning Board recommended denial have been taken care of. He submitted a copy of a letter to the Planning Board 6/22/89 and an exact copy of that letter 6/22/89 which went to Mr. Kalarickal of the Town's Environmental Control Dept. He stated that Mr. Kalarickal had recommended that the SEQRA process is complete and asked the Board to move on. Mr. Horowitz showed a drawing indicating the area in question is within the 100 year flood plain. He spoke at length stating that what is contemplated would be an improvement to the area. He said they will only accept 50% of the floor area to which they are entitled and have so covenanted. He said they have no site plan because they have no idea to what ultimate use this property will be put except that it will conform to what the zoning permits.

Mr. Horowitz said they can get no building permit until they go to the Planning Board and go through the entire site plan procedure. He reiterated that they will not be using any construction debris but just fill that will be brought into the site. He said the DEC has no jurisdiction in this particular area.

Supervisor said what you are saying in essence is that the land as it is, before filling, would produce a .02 floor area. Mr. Horowitz said that is correct. Supervisor said he did not see that noted as a condition. Mr. Horowitz said it is on an exhibit in the petition. He said they have about 16 acres and 1 acre is above the flood plain. He said they took 15 acres, cut them in half, determined the allowable floor area, added that on to the 1 acre and came up with a number. If the site was fully above the flood plain they would be entitled to about 235,000 square feet. We have agreed to limit the site to about 150,000 square feet. He said they have agreed to be subject to the same rules and regulations as though the entire site would remain in the condition it is today as far as floor area is concerned.

Supervisor said the railroad acts as a massive dam in this area. When it rains the backyards become like a pond. He asked if it was a problem to go before the Planning Board with a site plan? He said there has to be some sort of an idea as what ultimately is envisioned for the property. Mr. Horowitz said the drawing submitted to Mr. Kalarickal and on which he based his recommendations to the Town Board incorporated all of the comments of the Planning Board. It is a finished grading plan indicating the location of the retention basis, the area that is to be filled in. There will be a building but right now they have no idea of the size or the shape. He said the grading plan is based on the actual topography in the area and is based on a detailed drainage study of the entire area. Reference was made to drawings at this point. He urged the approval of the Town Board so they could commence cleaning of the site which will take at least a year or two. They will not be using Green Avenue in any way. He said they are channeling all the water and trapping it into a retention pond. He discussed drainage in the area at length.

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Supervisor asked, if the Town Board approves, will the retention pond be constructed simultaneously with the filling? Mr. Horowitz said yes. Supervisor said even though you do not know exactly what type of building will be done is that a monumental problem if you had to get a site plan for this? Mr. Horowitz said no it would just delay us until we resolve other problems. Supervisor said suppose that were to be a condition of the special permit? Mr. Horowitz said then they wouldn't need the special permit. He said they could have done that but they wanted the land groomed first. It does not make any sense to put that in as a condition.

Supervisor asked Mr. Horowitz to show Mr. Chambers the map and explain it to him.

Appearance: Mr. Jack Schmidt
767 Birchwood Court
Valley Cottage, New York

He stated that he lives behind the Brega property. He asked what they were going to build when they fill? He invited the Board to come out to the property and look at the water they have there right now. He said when he bought the house and moved in it was wetlands. Now, it is no longer considered wetlands but to build and tell him that it is not going to affect him is a little bit of a pipedream. To just bring in fill and say you do not know what is going to go there, he said he just can't buy that. He said anything built above Greene Avenue has to come down to him.

Mr. Horowitz said it is absolutely wet. He discussed the Kill Von Beaste. He described what comes into the property at length. He showed Mr. Schmidt maps and explained their plans. Mr. Schmidt wanted a guarantee that there would be no flooding any, worse than it is.

Appearance: Mr. Ritchie(?)
Corner of Old Mill Road
Valley Cottage, New York

Mr. Ritchie said he concurred fully with Mr. Chambers. He said no matter what you want to call this it is a dump. It is a very delicate area. He said he lives across the street from the tract and he has a drainage problem. He said he is concerned about what will happen in that area and is opposed to any building there until he can get a clearer picture.

RESOLUTION NO. (118-1990)

ACCEPTING MINUTES OF TOWN
BOARD MEETING OF JANUARY
23, 1990 AND SPECIAL TOWN
BOARD MEETING OF FEBRUARY
6, 1990

Co. Smith offered the following resolution:

RESOLVED, that the minutes of the Town Board Meeting of January 23, 1990 and the Special Town Board Meeting of February 6, 1990 are hereby accepted as submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (119-1990)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
LENTY, INC., REGARDING YARD
WASTE COMPOSTING

Co. Smith offered the following resolution:

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

Whereas, the Town Board of the Town of Clarkstown is desirous of implementing a yard waste program within the boundaries of the Refuse and Garbage District, and

WHEREAS, a proposal has been made by Beng L. Ooi, President of Lenty, Inc., to provide technology, advice, and other assistance to the Town of Clarkstown for the purposes of managing the Town's yard waste composting project, and

WHEREAS, the Town Board of the Town of Clarktown wishes to retain the services of Lenty, Inc., to obtain the technology and advice necessary to successfully compost the yard waste;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a contract in a form approved by the Town Attorney which shall provide for technological assistance from Lenty, Inc., in order to manage the Town of Clarkstown's yard waste composting project as described in the proposal for a one time cost of \$4,000.00, plus a fee based upon the annual yard waste volume - \$20.00 per ton for grass and \$15.00 per ton for brush clippings, payable as set forth in said proposal, and be it

FURTHER RESOLVED, that the revenue from the sale of compost, shall be equally divided between the Town and Lenty, Inc., in accordance with said proposal, and be it

FURTHER RESOLVED, that charges pursuant to this resolution shall be paid from Account No. A-8160-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (120-1990)

AUTHORIZING SUPERVISOR TO
AMEND AGREEMENT WITH
CARPENTER ENVIRONMENTAL
ASSOCIATES, INC. TO INCLUDE
RESAMPLING OF SEDIMENT
SAMPLES - CHARGE TO ACCOUNT
NO. H 5110-08-409

Co. Smith offered the following resolution:

WHEREAS, Carpenter Environmental Associates, Inc. entered into an agreement with the Town of Clarkstown on August 7, 1989 to provide a report, map and plan regarding the proposed Lake Lucille Aquatic District, for a fee of \$43,308.00, and

Continued on Next Page

RESOLUTION NO. (120-1990) Continued

WHEREAS, pursuant to requirements of the New York State Department of Environmental Conservation, eight sediment samples should be resampled to determine the toxicity of the waste extract. This testing shall cost \$6,420.50;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to amend the agreement dated August 7, 1989 to include the resampling of eight sediment samples, and be it

FURTHER RESOLVED, that the sum of \$6,420.00 is hereby appropriated to pay for said testing, 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 Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (121-1990)

AUTHORIZING PREPARATION OF CONTRACT PLANS AND SPECIFICATIONS TO EVALUATE DRAINAGE IN WEST NYACK ROAD AREA - CHARGE TO CAPITAL DRAINAGE ACCOUNT H 7140-25P-89-05-409

Co. Kunis offered the following resolution:

WHEREAS, Rockland Corporate Park has paid for a study by Raymond Keyes Engineering to evaluate how to best handle the drainage in the West Nyack Road area west of Strawtown Road; and

WHEREAS, studies show that the Rockland Corporate Park has not increased flooding due to the retention basins installed but in an effort to promote good faith and cooperation they have agreed to pay \$5,000.00 toward the cost of preparing contract plans and specifications plus \$100,000.00 toward the construction improvements;

NOW, THEREFORE, be it

RESOLVED, that the Director of Department of Environmental Control is authorized to engage Raymond Keyes Engineering for the purpose of preparing contract plans and specifications necessary for bidding at a cost not to exceed \$15,000.00 to the Town of Clarkstown, and be it

FURTHER RESOLVED, that the \$15,000.00 be a proper charge to the Capital Drainage Account H 7140-25P-89-05-409.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (122-1990)

SPECIAL FINDINGS GRANTING A
SPECIAL PERMIT TO CONDUCT A
LANDFILL OPERATION (RICHARD
BREGA)

Co. Maloney offered the following resolution:

WHEREAS, RICHARD BREGA, 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 which is bounded on the west by the West Shore Railroad right-of-way, on the south by Birchwood Court and on the north by Corporate Court, Valley Cottage, New York, more particularly described on the Clarkstown Tax Map as: Map 109, Block A, Lot 1, and

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the 12th day of July, 1988, at 8:25 P.M., to consider such application;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of the Department of Environmental Control, dated August 30, 1989, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the requested special permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

RESOLVED, that the Town Board makes the following Special Findings pursuant to Section 106-14B of the Zoning Ordinance of the Town of Clarkstown:

That, the proposed use as described and represented by the applicant:

1. Shall be properly located with respect to transportation, water supply, waste disposal, fire and police protection and other public facilities;
2. Shall not cause undue traffic congestion or create a traffic hazard;
3. Shall not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Shall not adversely affect the character of/or property values in the area;
5. Shall not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Shall comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that a Special Permit to conduct a landfill on the above described property is hereby GRANTED to the petitioner subject to the following conditions:

1. Petitioner must comply with Section 106-16L of the Zoning Ordinance of the Town of Clarkstown annexed hereto;
2. The fill material shall be clean fill which shall be the only material disposed of by applicant under this permit and

Continued on Next Page

RESOLUTION NO. (122-1990) Continued

such material shall not be placed in the landfill until examined by the Department of Environmental Control, and found to consist of solely the materials represented by the applicant. Applicant shall keep a daily written log as to the contents and the source of the fill material, which log shall be open for inspection at all times to personnel of the Town of Clarkstown Department of Environmental Control;

3. Wallboard and C & D material shall be prohibited from the site;

4. Petitioner shall apply to the New York State Department of Environmental Conservation for a permit to fill the land, if required;

5. Petitioner shall apply to the Soil, Water and Conservation District for approval prior to landfilling;

6. Petitioner shall take all necessary steps to preserve and protect any adjacent public or private water supply as determined by the Clarkstown Department of Environmental Control;

7. Any necessary grading or other site changes that affect drainage or adjoining properties will be first submitted to the Town of Clarkstown Department of Environmental Control for determination and approval;

8. In the event that the Town Board determines that an outside consulting engineering firm is necessary at any time before, during or after the landfill operation, applicant agrees to pay the costs of such consultant;

9. In the event that the Town Board or any of its agencies is named as a party defendant in a lawsuit as a result of the landfill operations of the applicant pursuant to the Special Permit, by acceptance of the special permit the applicant agrees to save harmless the Town from any costs, including attorneys fees and disbursements incurred in the defense and any damages for which the Town may become liable as a result of any judgment against the Town of Clarkstown, or any member of the Town Board;

10. The Special Permit granted hereunder shall terminate upon the disposal of the clean fill which is the subject of this permit within the designated landfill area,

11. Limit floor area ratio to .2 (152,355 sq. ft.) as indicated in drawing dated June 15, 1989;

12. No access to Green Avenue at anytime,
and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

TOWN BOARD OF THE TOWN OF CLARKSTOWN

Dated: February 13, 1990 By: /s/ Charles E. Holbrook
Charles E. Holbrook, Supervisor

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (124-1990) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (125-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #24-1990 -
COMPUTER ACCESSORIES

Co. Maloney offered the following resolution:

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

BID #24-1990
COMPUTER ACCESSORIES

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, March
9, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (126-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #23-1990 -
MAINTENANCE/IMPROVEMENT OF
TOWN CUL-DE-SACS

Co. Maloney offered the following resolution:

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

BID #23-1990
MAINTENANCE/IMPROVEMENT OF TOWN CUL-DE-SACS

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
March 7, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

RESOLUTION NO. (126-1990) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (127-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #22-1990 -
STORAGE & DELIVERY OF TOWN
VOTING MACHINES

Co. Maloney offered the following resolution:

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

BID #22-1990
STORAGE & DELIVERY OF TOWN VOTING MACHINES

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, March
5, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (128-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #21-1990 -
FIREWORKS DISPLAY

Co. Maloney offered the following resolution:

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

BID #21-1990
FIREWORKS DISPLAY

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, March
16, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

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RESOLUTION NO. (128-1990) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (129-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #20-1990 -
ARTS & CRAFTS SUPPLIES

Co. Maloney offered the following resolution:

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

BID #20-1990
ARTS & CRAFTS SUPPLIES

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday,
March 14, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (130-1990)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #26-1990 -
INDUSTRIAL PERSONAL COMPUTER

Co. Maloney offered the followin resolution:

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

BID #26-1990
INDUSTRIAL PERSONAL COMPUTER

bids to be returnable to the Office of the Director of Purchasing,
10 Maple Avenue, New City, New York by 11:00 A.M. on Tuesday, March
6, 1990 at which time bids will be opened and read, and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (130-1990) Continued

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

RESOLUTION NO. (131-1990)

AMENDING RESOLUTION NO.
49-1990 - BID NO. 7-1990 -
AWARDING OF ATHLETIC AND
RECREATION SUPPLIES
(ANACONDA-KAYE SPORTS, INC.)

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation and Parks, that Town Board Resolution No. 49-1990 is hereby amended to include the supplemental award of Item No. 1 of the Athletic and Recreation Supplies Bid No. 7-1990 to Anaconda-Kaye Sports, Inc., Richard Koegel, Manager, 1221 Ulster Avenue, Kingston, New York 12401, at a net bid price of \$1,197.50.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (132-1990)

AWARDING BIDS FOR BID
#10-1990 - GROUNDSKEEPING/
LANDSCAPING SUPPLIES
(PROLAWN PRODUCTS,
INC.; FREDERICKS; THE TERRE
COMPANY; MATTERHORN
NURSERY; ENVIRONMENTAL
CHEMICAL CO., INC.; AND
MANTEK DIV. OF NCH CORP.)

Co. Maloney offered the following resolution:

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

BID #10-1990
GROUNDSKEEPING/LANDSCAPING SUPPLIES

are hereby awarded to

PROLAWN PRODUCTS INC.
BOX 182A RD #1
WRIGHTSTOWN NJ 08562
PRINCIPAL: OWNED BY AGWAY,
PUBLIC CORPORATION

FREDERICKS
PO BOX 177
100 STATION SQUARE
CONGERS, NY 10920
PRINCIPAL: JOHN W. CUMMING

THE TERRE COMPANY
PO BOX 1014
206 DELAWANA AVE
CLIFTON NJ 070145
PRINCIPALS: WILLIAM A. FERRY SR.
WILLIAM A. FERRY JR.

MATTERHORN NURSERY
277 SUMMIT PARK RD
SPRING VALLEY NY 10977
PRINCIPALS: MATT HORN
VERONICA HORN

RESOLUTION NO. (132-1990) Continued

ENVIRONMENTAL CHEMICAL CO INC
674 N MAIN ST
SPRING VALLEY NY 10977
PRINCIPAL: STEVE WEISS

MANTEK DIV OF NCH CORP
PO BOX 660196
DALLAS TX 75266-0196
PRINCIPALS: IRVIN LEVY
LESTER LEVY
MILTON LEVY, JR.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (133-1990)

AWARDING BIDS FOR BID
#9-1990 - HIGHWAY SIGNING/
ROAD MAINTENANCE SUPPLIES
(CHEMUNG SUPPLY CORP.;
EXPANDED SUPPLY PRODUCTS;
HIGHWAY TRAFFIC SUPPLY; 3M
COMPANY; GARDEN STATE
HIGHWAY; CAPITOL HIGHWAY
MATERIALS; AND SIGNS OF
SAFETY)

Co. Maloney offered the following resolution:

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

BID #9-1990
HIGHWAY SIGNING/ROAD MAINTENANCE SUPPLIES

is hereby awarded to

CHEMUNG SUPPLY CORP
P.O. BOX 527
ELMIRA, NY 14902
PRINCIPALS: MYRA STEMERMAN
HERMAN STEMERMAN
SUZANN SUNA

EXPANDED SUPPLY PRODUCTS
RD 1 BOX 93 ROUTE 9
COLD SPRINGS, NY 10516
PRINCIPALS: BRUCE KEHR
DONNA KEHR

HIGHWAY TRAFFIC SUPPLY
28 W. WASHINGTON AVE
PEARL RIVER, NY 10965
PRINCIPAL: THOMAS NARDINI

3M COMPANY
TRAFFIC CONTROL MATERIALS
3M CENTER-BLDG. 223-3N
ST. PAUL, MN 55144
PRINCIPALS: NONE

GARDEN STATE HIGHWAY
2 FOWSER RD
MILLVILLE, NJ 08332
PRINCIPALS: SHARON L. GREEN
ROBERT A. GREEN

CAPITOL HIGHWAY MATERIALS
ROUTE 6
BALDWIN PLACE, NY 10505
PRINCIPALS: MARK ABRAMS
NAZ KAROGLANIAN
SIDDARTH BADDILHAIJT
VICTOR PAIS

SIGNS OF SAFETY
432-40 SO. RIVER STREET
HACKENSACK, NJ 07601
PRINCIPALS: CREAMER BROS., INC.
J. FLETCHER CREAMER IV
GLENN L. CREAMER
DALE CREAMER
JEFF CREAMER

as per schedule of items/prices on file in the Purchasing Department.

Continued on Nextf Page

RESOLUTION NO. (133-1990) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (134-1990)

AWARDING BID FOR BID
#13-1990 - PRINTING OF 1990
SPRING/SUMMER PARKS AND
RECREATION BROCHURE
(PRINTING BY LAINE, LTD)

Co. Maloney offered the following resolution:

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

BID #13-1990
PRINTING OF 1990 SPRING/SUMMER PARKS
AND RECREATION BROCHURE

is hereby awarded to

PRINTING BY LAINE, LTD
140 2ND STREET
BROOKLYN, NY 11212
PRINCIPAL: REBECCA LAINE

as per their low bid proposal of \$9,990.00 for a two color brochure,
30,000 copies.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (135-1990)

AWARDING BID FOR BID
#17-1990 - BITUMINOUS
CONCRETE (COUNTY ASPHALT,
TILCON NEW YORK, INC., AND
PLAZA MATERIALS, CO.)

Co. Maloney offered the following resolution:

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

BID #17-1990
BITUMINOUS CONCRETE

is hereby awarded to

Continued on Next Page

RESOLUTION NO. (135-1990) Continued

COUNTY ASPHALT
P.O. BOX 96-WEST MAIN ST.
TARRYTOWN, NY 10591
PRINCIPALS: FRANK D. COONEY, JR.
 JOHN T. COONEY, SR.

TILCON NEW YORK, INC.
P.O. BOX 362
HAVERSTRAW, NY 10927
A PUBLIC CORPORATION

PLAZA MATERIALS, CO.
969 MIDLAND AVE.
YONKERS, N. Y. 10704
PRINCIPAL: C. PETRILLO

as per the attached price/item schedule.

(Price/Item Schedule on File in Purchasing Department)

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (136-1990)

AUTHORIZING TOWN ATTORNEY
TO DEFEND PROCEEDING
(PARKER V. ADLER WALDRON
ASSOCIATES, INC. AS
ASSIGNEE OF ARLENE 304
REALTY CORP, ARLENE 304
REALTY CORP. AND TOWN OF
CLARKSTOWN)

Co. Maloney offered the following resolution:

WHEREAS, an action has been instituted against the Town
of Clarkstown entitled as follows:

KIMBALL PARKER and CLIFF PARKER,

Plaintiffs,

-against-

ADLER-WALDRON ASSOCIATES, INC. as
Assignee of ARLENE 304 REALTY CORP.,
ARLENE 304 REALTY CORP., and the
TOWN OF CLARKSTOWN,

Defendants.

NOW, THEREFORE, be it

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

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (137-1990)

AUTHORIZING SUPERVISOR TO
FILE RECREATION PROGRAM FOR
ELDERLY RENEWAL APPLICATION

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Supt. of Recreation and Parks, the Supervisor is hereby authorized to file a recreation Program for the Elderly renewal application with the New York State Office for the Aging, for the period commencing April 1, 1990 to March 31, 1991. and be it

FURTHER RESOLVED, that the total aid for this period will be \$4,681.00.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (138-1990)

AUTHORIZING ATTENDANCE AT
1990 NEW YORK STATE
RECREATION AND PARK SOCIETY
CONFERENCE (PARKS BOARD AND
RECREATION COMMISSION
MEMBERS AND TOWN BOARD
LIAISON) - CHARGE TO
APPROPRIATION ACCOUNTS A
7140-414 AND A 7141-414

Co. Maloney offered the following resolution:

RESOLVED, that the Clarkstown Parks Board and Recreation Commission members and Town Board liaison are hereby authorized to attend the 1990 New York State Recreation and Park Society Conference to be held March 25, 1990 through March 28, 1990, in Kiamesha Lake, New York, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against Appropriation Accounts A 7140-414 and A 7141-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (139-1990)

AUTHORIZING ATTENDANCE AT
1990 NEW YORK STATE
RECREATION AND PARK SOCIETY
CONFERENCE (SUPT. OF
RECREATION AND PARKS AND
DESIGNATED STAFF MEMBERS) -
CHARGE TO APPROPRIATION
ACCOUNTS A 7141-414 AND A
7310-414

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (139-1990) Continued

RESOLVED, that the Superintendent of Recreation and Parks and designated staff members are hereby authorized to attend the 1990 New York State Recreation and Park Society Conference to be held March 25, 1990 through March 28, 1990, in Kiamesha Lake, New York, and be it

FURTHER RESOLVED, that all necessary expenses allocated against Appropriation Accounts A 7141-414 and A 7310-414.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (140-1990)

ADMINISTRATIVE DIRECTOR OF BUILDING DEPARTMENT TO DESIGNATE THREE STAFF MEMBERS TO ATTEND VARIOUS CONFERENCES - CHARGE TO APPROPRIATION ACCOUNT A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Edward J. Ghiazza, Administrative Director, Building Department is hereby authorized to designate three staff members to attend the following conferences:

- 1) Eastern States Building Officials Federation
Callicoon, New York - March 7,8,9, 1990
- 2) Hudson Valley Code Enforcement Officials
Poughkeepsie, New York - April 29,30; May 1,2, 1990
- 3) Finger Lakes Building Officials Association
Rochester, New York - April 2, 3, 4 1990

and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (141-1990)

AUTHORIZING ATTENDANCE AT SEMINAR "FIRE FIGHTERS SURVIVAL" (PAPENMEYER, BOWLER AND SULLINGER) -

RESOLUTION NO. (141-1990) Continued

CHARGE TO APPROPRIATION
ACCOUNT A 1010-414

Co. Maloney offered the following resolution:

RESOLVED, that Fire Inspector, Mark Papenmeyer, Assistant Fire Inspectors, William Bowler and Richard Sullinger are authorized to attend the following seminar:

Entitled "Fire Fighters Survival," held March 10, 1990, at the Simpson Memorial Church, South Nyack, cost will be \$30.00 each person.

and be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (142-1990)

AMENDING TIPPING FEE
SCHEDULE AT CLARKSTOWN
SANITARY LANDFILL

Co. Kunis offered the following resolution:

WHEREAS, the tipping fee schedule at the Clarkstown Sanitary Landfill requires that vans and pickup trucks up to 3/4 ton enter free if it is carrying debris or refuse from a residence within the Town of Clarkstown and the hauler is not for hire or a contractor; and

WHEREAS, it has become increasingly more difficult to determine who is for hire or a contractor; and

WHEREAS, the Town of Clarkstown has a bulk pickup program for homeowner bulk that is not part of a contractual renovation; and

WHEREAS, the Landfill is scheduled to close May 1, 1990;

NOW, THEREFORE, be it

RESOLVED, that all vans and pickup trucks, regardless of owner/operator residence and vehicle registration, desiring to dispose of waste at the Landfill shall cross the scale and be charged the established tipping fee; and be it

FURTHER RESOLVED, that this provision shall become effective on March 15, 1990, and that the following sign will be posted at the Landfill:

NOTICE

EFFECTIVE MARCH 15, 1990, DUE TO THE IMPENDING CLOSURE OF THE CLARKSTOWN SANITARY LANDFILL, ALL VANS AND PICKUP TRUCKS SHALL BE REQUIRED TO PAY THE PREVAILING TIPPING FEE BY CHECK OR MONEY ORDER PAYABLE TO THE TOWN OF CLARKSTOWN

Continued on Next Page

RESOLUTION NO. (142-1990) Continued

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (143-1990)

AUTHORIZING FIRE LANE
DESIGNATIONS AT ROCKLAND
DEVELOPMENT ASSOCIATES -
210-230 WEST NYACK ROAD,
WEST NYACK, NEW YORK

Co. Maloney offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 102, Sec. 14, of the Code of the Town of Clarkstown, at

210-230 W. Nyack Road, West Nyack, N.Y. 10994

by the installation of fire lane designations, and

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

NOW, THEREFORE, be it

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

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (144-1990)

REJECTING ALL BID PROPOSALS
FOR BID #64A-1989 -
PASSENGER SEDAN

Co. Mandia offered the following resolution:

RESOLVED, that all bid proposals received for

BID #64A-1989
PASSENGER SEDAN

Continued on Next Page

RESOLUTION NO. (144-1990) Continued

are hereby rejected.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (145-1990)

REFERRING AMENDMENT TO
ZONING ORDINANCE TO
CLARKSTOWN PLANNING BOARD
AND ROCKLAND COUNTY
COMMISSIONER OF PLANNING -
106-10A OF GENERAL USE
REGULATIONS, RS DISTRICT,
TABLE 12, COLUMN 6, ITEM 18
- PARKING

Co. Smith offered the following resolution:

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

WHEREAS, the Town Board of the Town of Clarkstown is considering to further amend said Zoning Ordinance;

NOW, THEREFORE, 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 Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their recommendation and report.

Amend §106-10A of the General Use Regulations, RS District, Table 12, Column 6, Item 18 as follows:

From: "18(a) Storage and warehouses for sites under one ownership and having a lot area of 60,000 sq. ft. or less: At least one parking space for each 300 sq. ft.

18(b) Storage and warehouses for sites under one ownership and having a lot area greater than 60,000 sq. ft.: At least one parking space for each 500 sq. ft. of gross floor area."

To: "18. Storage and warehouses for sites under one ownership and having a lot of at least 20,000 sq. ft. or greater: At least one parking space for each 500 sq. ft. of gross floor area."

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (145-1990) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (146-1990)

SETTING PUBLIC HEARING RE
ZONE CHANGE FROM LIO TO
R-15 - MAP 165, BLOCK A,
LOT 3.02 (BRADCO)

Co. Smith offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, on its Own Motion, has recommended that the Zoning Ordinance of the Town be amended by redistricting property herein described from an LIO District to an R-15 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 165, Block A, Lot 3.02;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 13th day of March, 1990 at 8:05 P.M., relative to the proposed amendment, and be it

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (147-1990)

REFERRING PROPOSED CHANGE
OF ZONE FROM LO TO R-22 TO
CLARKSTOWN PLANNING BOARD
AND ROCKLAND COUNTY
COMMISSIONER OF PLANNING -
MAP 41, BLOCK A, LOT 4.01
(ARC)

Co. Smith offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown, on its Own Motion, has recommended that the Zoning Ordinance of the Town be amended by redistricting property occupied by ARC, located on the north side of Phillips Hill Road, New City, New York, from an LO District to an R-22 District, and

Continued on Next Page

RESOLUTION NO. (147-1990) Continued

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 41, Block A, Lot 4.01;

NOW, THEREFORE, be it

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

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

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOOUTION NO. (148-1990)

REFERRING PROPOSED
AMENDMENT TO THE ZONING
ORDINANCE - SECTIONS 106-3
- DEFINITIONS - LOT LINE,
FRONT AND LOT AREA

Co. Smith offered the following resolution:

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

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

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their recommendation and report:

Amend Section 106-3. Definitions - Lot Line, Front

from: "Lot Line, Front - The line of a street on which a lot fronts or abuts."

to: "Lot Line, Front - The line of a public or private street on which a lot fronts or abuts."

Amend Section 106-3. Definitions - Lot Area

from: "Lot Area - The total horizontal area included within property lines of a lot."

Continued on Next Page

RESOLUTION NO. (148-1990) Continued

to: "Lot Area - The total horizontal area included within property lines of a lot, exclusive of any area of a lot designated as a right-of-way or easement for vehicular access."

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 Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (149-1990)

ACCEPTING PROPOSALS FROM
ORANGE & ROCKLAND
UTILITIES, INC. RE: STREET
LIGHTING AT HALL AVENUE
(WEST), NEW CITY

Co. Kunis offered the following resolution:

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

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

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

NOW, THEREFORE, be it

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

Hall Avenue (West) New City
(Install - One (1) 5800 lumen sodium vapor
street light on existing pole number 59106/41344)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (150-1990)

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

Co. Smith offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Robert Geneslaw Co., to provide planning consultant services to the Town of Clarkstown, for the period from February 1, 1990 to December 31, 1990, in a form approved by the Town Attorney, and be it

FURTHER RESOLVED, that the compensation of Robert Geneslaw Co. for the month of February, 1990, shall be \$7,429.00, and \$7,615.00 per month shall be paid as the compensation of Robert Geneslaw Co. for the period from March 1, 1990 to December 31, 1990, and be it

FURTHER RESOLVED, that the total compensation of Robert Geneslaw Co. shall be \$83,579.00 for the year 1990, which shall be charged to Account No. B-8020-409.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (151-1990)

MEMORIALIZING LEGISLATURE
OF STATE OF NEW YORK RE:
AMENDING CIVIL PRACTICE LAW
AND RULES AND THE PENAL LAW
IN RELATION TO FORFEITURE

Co. Maloney offered the following resolution:

RESOLVED, that pursuant to Section 938 of the Real Property Tax Law of the State of New York, the Supervisor of the Town of Clarkstown is hereby authorized to make application to the Rockland County Commissioner of Finance for an extension of time for the collection of 1990 taxes by the Clarkstown Receiver of Taxes from April 1, 1990 to June 1, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (152-1990)

AUTHORIZING THE SUPERVISOR
TO MAKE APPLICATION TO THE
COUNTY FOR AN EXTENSION OF
TIME TO COLLECT 1990 TAXES

Co. Smith offered the following resolution:

Continued on Next Page

RESOLUTION NO. (152-1990) Continued

RESOLVED, that pursuant to Section 938 of the Real Property Tax Law of the State of New York, the Supervisor of the Town of Clarkstown is hereby authorized to make application to the Rockland County Commissioner of Finance for an extension of time for the collection of 1990 taxes by the Clarkstown Receiver of Taxes from April 1, 1990 to June 1, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (153-1990)

AMENDING TOWN BOARD
RESOLUTION NO. (52-1990) RE
TRAFFIC CONTROL DEVICES
INTERSECTION BLAUVELT ROAD,
CHURCH STREET, COLLEGE
AVENUE, NANUET, NEW YORK -
CHARGE TO APPROPRIATION
ACCOUNT NO. A 3320-409 -
SIDEWALKS ALONG CHRISTIAN
HERALD ROAD, VALLEY COTTAGE
- CHARGE TO CAPITAL #2
ACCOUNT NO. H 5130-409

Co. Maloney offered the following resolution:

WHEREAS, it is necessary to amend Town Board Resolution (NO. 52-1990) dated January 9, 1990,

NOW, THEREFORE, be it

RESOLVED, that any and all charges from Atzl and Scatassa for the survey for the installation of traffic control devices at the intersection of Blauvelt Road, Church Street, College Avenue, Nanuet, New York be charged to Appropriation Account No. A 3320-409 (Installation of Traffic Signals- Fees for Services) and be it

FURTHER RESOLVED, that any and all charges from Atzl and Scatassa for the survey for sidewalks along Christian Herald Road, Valley Cottage, New York be charged to Capital #2 Account No. H 5130-409 (Sidewalks-Christian Herald Road.)

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (154-1990)

INCREASE ESTIMATED REVENUE
ACCOUNT NO. 01-002130
(REFUSE) AND APPROPRIATION
ACCOUNT NO. A 8160-209

RESOLUTION NO. (154-1990) Continued (SANITARY LANDFILL-OTHER EQUIPMENT) - HIGH-VOLUME PUMP AT SANITARY LANDFILL

Co. Maloney offered the following resolution:

WHEREAS, there is a need for a high-volume pump at the Sanitary Landfill, and

WHEREAS, the bid was awarded on January 12, 1990,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. 01-002130 (Refuse) and Appropriation Account No. A 8160-209 (Sanitary Landfill-Other Equipment) by \$12,000.00.

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (155-1990) GRANTING CERTIFICATES OF REGISTRATION PURSUANT TO SECTION 83-65 OF TOWN CODE - EDWARD DeLEONARDIS EXCAVATING INC. - NO. 90-13 AND STRAWTOWN BUILDERS, INC. - NO. 90-16

Co. Kunis offered the following resolution:

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

EDWARD DeLEONARDIS EXCAVATING, INC. 519 Fulle Drive Valley Cottage, New York 10989
STRAWTOWN BUILDERS, INC. d/b/a HYDYNAMIC EQUIPMENT 311 Strawtown Road New City, New York 10956

RESOLVED, that the following Certificates of Registration be issued:

No. 90-13 to EDWARD DeLEONARDIS EXCAVATING INC.
No. 90-16 to STRAWTOWN BUILDERS, INC.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (156-190) AUTHORIZING TOWN ATTORNEY TO COMMENCE NEGOTIATIONS TO PURCHASE PROPERTY - 52

RESOLUTION NO. (156-1990) Continued

MAPLE AVENUE, 56 MAPLE AVENUE AND 60 MAPLE AVENUE, NEW CITY FOR POLICE AND COURT BUILDING - HIRE MARTIN & MARTIN APPRAISALS

Co. Smith offered the following resolution;

WHEREAS, the Town Board believes it is desirable to purchase the premises known as 52 Maple Avenue, 56 Maple Avenue and 60 Maple Avenue in the hamlet of New City for the purpose of the construction of a police and court building together with ancillary parking, and

WHEREAS, as part of such acquisition, appraisals must be made of the premises;

NOW, THEREFORE, be it

RESOLVED that Murray N. Jacobson, Town Attorney, is hereby authorized to commence negotiations with the owners of the premises known as 52 Maple Avenue, 56 Maple Avenue and 60 Maple Avenue, New City, New York with a view towards the purchase of same, and be it

FURTHER RESOLVED that the firm of Martin & Martin is hereby retained to perform appraisal services on said property, retroactive to February 7, 1990, at a fee of \$2,500.00 for said appraisals.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

At this point Councilman Kunis offered a motion for the appointment of John Sullivan as a member of the Clarkstown Planning Board. This motion did not receive a second.

RESOLUTION NO. (157-1990)

REAPPOINTING TO POSITION OF MEMBER - CLARKSTOWN DRUG ABUSE PREVENTION COUNCIL (MIRIAM KURISKO)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Miriam Kurisko, 48 Collyer Avenue, New City, New York, is hereby reappointed to the position of Member - Clarkstown Drug Abuse Prevention Council - to serve without compensation - term effective and retroactive to January 3, 1990 and to expire on January 2, 1993.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (158-1990)

REAPPOINTING TO POSITION OF
MEMBER - PLANNING BOARD
(WILLIAM NEST)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that William Nest, 3 Hillside Drive, New City, New York, is hereby reappointed to the position of Member - Planning Board - at the current 1990 annual salary of \$3,500.00, term effective and retroactive to February 2, 1990 and to expire on February 1, 1997.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (159-1990)

CREATING POSITION OF
LABORER - DEPARTMENT OF
ENVIRONMENTAL CONTROL

Co. Smith and Co. Mandia offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on January 25, 1990 that the position of Laborer - Department of Environmental Control - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Laborer - Department of Environmental Control - is hereby created - effective February 14, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (160-1990)

APPOINTING TO POSITION OF
(TEMPORARY) ASSISTANT
AUTOMOTIVE MECHANIC - MINI
TRANS DEPARTMENT TO COVER
LEAVE OF ERNEST SCHLAUGIES
(HENRY CLARK)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Henry Clark, 15 Stern Place, Congers, New York, is hereby appointed to the position of (temporary) Assistant Automotive Mechanic - Mini Trans Department - to cover the leave of absence of Ernest Schlaugies - at the current annual salary of \$20,731.00, effective February 14, 1990.

Seconded by Co. Smith

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (160-1990)

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

RESOLUTION NO. (161-1990)

GRANTING SICK LEAVE OF
ABSENCE AT ONE HALF PAY TO
SENIOR CLERK & BUS DRIVER -
MINI TRANS DEPARTMENT
(JOSEPH RUTIGLIANO)

Co. Smith and Co. Mandia 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., Joseph Rutigliano, 4
William Street, New City, New York, Senior Transit Clerk & Bus
Driver - Mini Trans Department - is hereby granted a Sick Leave of
Absence - at one half pay - effective and retroactive to January 31,
1990 to March 2, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (162-1990)

APPOINTING TO POSITION OF
(PROVISIONAL) REAL PROPERTY
DATA COLLECTOR - ASSESSOR'S
OFFICE (MARGARET WHELAN)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Margaret M. Whelan, 6 Acorn Terrace, New
City, New York, is hereby appointed to the position of (provisional)
Real Property Data Collector - Assessor's Office - at the current
annual salary of \$17,790.00, effective and retroactive to February
5, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (163-1990)

ACCEPTING RESIGNATION OF
CLERK TYPIST - POLICE
DEPARTMENT (JOAN MURPHY)

Co. Smith and Co. Mandia offered the following resolution:

Continued on Next Page

RESOLUTION NO. (163-1990) Continued

RESOLVED, that the resignation of Joan Murphy, 12 Shore Road, New City, New York - Clerk Typist - Police Department - is hereby accepted - effective and retroactive to January 24, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (164-1990)

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

Co. Smith and Co. Mandia offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 8, 1990 that three (3) positions of Police Officer - Police Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the three (3) positions of Police Officer - Police Department - are hereby created - effective February 14, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (165-1990)

APPOINTING TO POSITION OF
POLICE COMMISSIONER (OTTO
MORCH)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Otto Morch, 28 Rockwood Terrace, New City, New York, is hereby appointed to the position of Police Commissioner - for the Town of Clarkstown - to serve without compensation - term effective February 14, 1990 and to expire on December 31, 1991.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (163-1990) Continued

RESOLVED, that the resignation of Joan Murphy, 12 Shore Road, New City, New York - Clerk Typist - Police Department - is hereby accepted - effective and retroactive to January 24, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (164-1990)

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

Co. Smith and Co. Mandia offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on February 8, 1990 that three (3) positions of Police Officer - Police Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the three (3) positions of Police Officer - Police Department - are hereby created - effective February 14, 1990.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (165-1990)

APPOINTING TO POSITION OF
POLICE COMMISSIONER (OTTO
MORCH)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Otto Morch, 28 Rockwood Terrace, New City, New York, is hereby appointed to the position of Police Commissioner - for the Town of Clarkstown - to serve without compensation - term effective February 14, 1990 and to expire on December 31, 1991.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (166-1990)

APPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMISSION TO
FILL UNEXPIRED TERM OF
GERALD KRAUSE - (MARTIN
BERNSTEIN)

Co. Smith and Co. Mandia offered the following resolution:

RESOLVED, that Martin Bernstein, 20 Woodglen Drive, New City, New York, is hereby appointed to the position of Member - Industrial Development Commission (to fill the unexpired term of Gerald Krause) to serve without compensation - term effective February 14, 1990 and to expire on June 13, 1991.

Seconded by Co. Maloney

On roll call the vote was as follows:

Councilman Kunis.....	Yes
Councilman Maloney.....	Yes
Councilman Mandia.....	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 Kunis, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, time: 10:25 P.M.

Respectfully submitted,
Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk