

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/11/90

8:00 P.M.

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

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

Supervisor read the following proclamation:

"NEW CITY BABE RUTH PREP ALL-STARS" DAY
September 11, 1990

WHEREAS, the NEW CITY BABE RUTH PREP ALL-STARS, in defeating teams from Phillipstown, Middletown, Spring Valley and East Fishkill, won the DISTRICT 7 CHAMPIONSHIP, AND

WHEREAS, after this achievement, playing out of the loser's bracket, New City went on to eliminate teams from West Albany, Kingston, New Hartford and Scotia, thereby qualifying to play undefeated Rotterdam, and

WHEREAS, New City defeated Rotterdam forcing a title game against Rotterdam for the EASTERN NEW YORK STATE CHAMPIONSHIP before finishing second in that Championship.

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young athletes, their manager, PAT AMENDOLA and their coaches, JOE LANESE and PETE PALKO, for their outstanding achievement and hereby declare this day, September 11, 1990 as "NEW CITY BABE RUTH PREP ALL-STARS" DAY in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY
HAND AND CAUSE THE SEAL OF THE TOWN
OF CLARKSTOWN TO BE AFFIXED THIS 11TH
DAY OF SEPTEMBER, 1990.

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

/s/ Steven C. Kunis
Steven C. Kunis, Councilman

/s/ Ralph F. Mandia
Ralph F. Mandia, Councilman

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

Ann Marie Smith
Ann Marie Smith, Councilwoman

Supervisor asked Mr. Amendola to accept the proclamation on behalf of the Town Board. Supervisor also presented Certificates of Recognition to Pat Amendola, Joe Lanese and Peter Palko. Supervisor noted that Peter Palko is also an employee here at Town Hall and we are very proud of him.

Supervisor then called upon all of the players and presented them with an award from the Town Board stating that the Town is very proud of each one.

Supervisor stated that the public portion of the meeting was now open and asked if there was anyone wishing to speak.

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

Mr. Lodico reminded the Town Board about the curve on Red Hill Road and noted that there were three accidents this week alone, one including a school bus.

Mr. Lodico spoke regarding the adoption of any police officers from outside this Town until such time as this Town Board makes a complete survey and study. He said the Town Board should create a committee to study the population involved in the Clarkstown portion of the Nyack Village area and the tax base and then consider whether or not you even want to accept any number of police from that department based on the ratio and fair apportionment as to what we represent in our particular town. This might take awhile but during that time maybe some of our own officers will move up instead of having to sit back because someone else encroached because a village wanted to give up its police department.

Mr. Lodico also spoke regarding the operation and regulation of our Sanitary Landfill Transfer Station when it becomes available for the taxpayers. He felt the Board should develop a schedule protecting the Town with gates, sensors, and hours of operation making sure that it is opened by a Town employee, closed by a Town employee and that at no other times will the gate be opened other than normal business days.

RESOLUTION NO. (770-1990)

ACCEPTING MINUTES OF TOWN BOARD MEETINGS OF AUGUST 14, 1990, AUGUST 20, 1990, AUGUST 24, 1990 AND AUGUST 31, 1990

Co. Maloney offered the following resolution:

RESOLVED, that the minutes of the Town Board Meetings of August 14, 1990, August 20, 1990, August 24, 1990 and August 31, 1990 are accepted as submitted by the Town Clerk.

Seconded by Co. Smith

On roll call the vote was as follows:

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

RESOLUTION NO. (771-1990)

SETTING PUBLIC HEARING ON PROPOSED LOCAL LAW REPEALING LOCAL LAW NO. 3-1967, DEALING WITH PROTECTION OF CONTRACT DEPOSITS MADE BY BUYERS OF NEW HOMES

Co. Smith offered the following resolution:

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

Continued on Next Page

RESOLUTION NO. (771-1990) Continued

"REPEAL OF LOCAL LAW NO. 3-1967, DEALING WITH PROTECTION OF CONTRACT DEPOSITS MADE BY BUYERS OF NEW HOMES"

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 9th day of October, 1990, 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 Kunis.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (772-1990)

SETTING PUBLIC HEARING RE
PROPOSED LOCAL LAW
REGARDING DEPOSITS ON
CONSTRUCTION OF NEW HOMES

Co. Smith offered the following resolution:

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"DEPOSITS ON CONSTRUCTION OF NEW HOMES"

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 9th day of October, 1990, at 8:10 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:

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RESOLUTION NO. (772-1990) Continued

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

RESOLUTION NO. (773-1990)

RELEASING PERFORMANCE BOND
(OSTERTAG ESTATES
SUBDIVISION)

Co. Maloney offered the following resolution:

RESOLVED, that upon the recommendation of the Department of Environmental Control of the Town of Clarkstown, Performance Bond secured by a passbook furnished to the Town in connection with final approval of a subdivision known as Ostertag Estates is hereby terminated as all the improvements have been completed to Town specifications and the sum of \$5,690.00 may be released to the guarantor.

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. (774-1990)

SETTING PUBLIC HEARING
REGARDING ZONE CHANGE FROM
R-15 DISTRICT TO LIO
DISTRICT (YASSKY & FAIST)

Co. Maloney offered the following resolution:

WHEREAS, ALAN YASSKY and GEORGE FAIST, have petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioners described from an R-15 District to an LIO District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 164, Block A, Lot 19;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 for 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 23rd day of October, 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. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (774-1990) Continued

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

RESOLUTION NO. (775-1990)

REFERRING PETITION OF
TOLSTOY FOUNDATION, INC.,
FOR SPECIAL PERMIT TO ERECT
ADDITIONAL HOUSING FOR THE
AGED (MAP 138, BLOCK J, LOT
7.1)

Co. Maloney offered the following resolution:

WHEREAS, TOLSTOY FOUNDATION, INC., has petitioned the Town Board of the Town of Clarkstown for a Special Permit for the erection of additional housing for the aged, pursuant to the provisions of Section 106-10A, Table of General Use Regulations, R-22 District, Table 3, Column 3, Section B, Paragraph 2 of the Zoning Ordinance of the Town of Clarkstown for property located at Lake Road, Valley Cottage, New York, and designated on the Clarkstown Tax Map as Map 138, Block J, Lot 7.1;

NOW, THEREFORE, be it

RESOLVED, that a copy of this petition be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their reports and recommendations, 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. 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. (776-1990)

GRANTING EXEMPTION TO
CLARKSTOWN CENTRAL SCHOOL
DISTRICT FOR FOUR TON
LIMITATION ON NORTH
GREENBUSH ROAD

Co. Smith offered the following resolution:

WHEREAS, the Town Board on April 25, 1989 passed a resolution establishing weight restrictions to four (4) tons for North Greenbush Road, and

WHEREAS, the Clarkstown Central School District has requested an exemption from such weight restriction in regard to school bus transportation on North Greenbush Road;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (776-1990) Continued

RESOLVED, that the Clarkstown Central School District is hereby granted an exemption from the four (4) ton limitation on North Greenbush Road in regard to its school bus transportation, and be it

FURTHER RESOLVED, that an exemption letter containing a certified copy of this resolution shall be forwarded by the Town Clerk to the Clarkstown Central School District.

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. (777-1990)

REFERRING AMENDMENT TO
ZONING ORDINANCE TO
CLARKSTOWN PLANNING BOARD -
AMEND SECTION 106-10A,
GENERAL USE REGULATIONS,
TABLE 11, CS DISTRICT,
COLUMN 3-B BY ADDING ITEM 6
(AUTO LAUNDRIES)

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

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, General Use Regulations, Table 11, CS District, Column 3-B, by Adding Item 6 as follows:

"6. Auto Laundries:

- (a) On parcels of not less than 40,000 square feet;
- (b) There shall be a reservoir space of 300 square feet per automobile on the lot for not less than 30 automobiles for each laundry machine, subject to the requirements of Section 106-16C."

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.

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RESOLUTION NO. (777-1990) Continued

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. (778-1990)

AUTHORIZING PRUNING AND TRIMMING ON ALLEGHENY AVENUE AND BROOME BOULEVARD, WEST NYACK - CHARGE TO DA 5140-384

Co. Maloney offered the following resolution:

WHEREAS, the people on Allegheny Avenue and Broome Boulevard complained that sight distance was being limited by the height of the sbrubbery in the cul-de-sac islands and median strips; and

WHEREAS, Robb's Landscaping & Gardening Services, Inc., has a contract with the Town of Clarkstown for the maintenance of cul-de-sac islands which did not include severe pruning and trimming in this area;

NOW, THEREFORE, be it

RESOLVED, that Robb's Landscaping & Gardening Services' contract be increased by \$1,800.00 to perform this pruning; and be it

FURTHER RESOLVED, that the cost for the above work be charged to DA 5140-384.

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. (779-1990)

INCREASING ESTIMATED REVENUE ACCOUNT 01-002999 (UNEXPENDED BALANCE) AND APPROPRIATION ACCOUNT A 9550-910 (TRANSFER TO CAPITAL) - TRANSFER SAID AMOUNT TO CAPITAL ACCOUNT H 1690-409 (BUILDING DEPARTMENT RENOVATIONS - FEES FOR SERVICES)(BUILDING DEPARTMENT)

Co. Smith offered the following resolution:

WHEREAS, it is necessary to perform alterations and renovations for Town Hall, as per Bid #65-1990,

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (779-1990) Continued

RESOLVED, to increase Estimated Revenue Account 01-002999 (Unexpended Balance) and increase Appropriation Account A 9550-910 (Transfer to Capital) by \$81,411.78, and be it

FURTHER RESOLVED, to transfer said amount to Capital Account H 1690-409 (Building Department Renovations - Fees for Services).

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. (780-1990)

DECREASING APPROPRIATION ACCOUNT A 5630-111 (OVERTIME) AND INCREASE APPROPRIATION ACCOUNT A 5630-313 (OFFICE SUPPLIES & PRINTING) (MINI-TRANS)

Co. Smith offered the following resolution:

WHEREAS, Appropriation Account A 5630-313 (Office Supplies & Printing) requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account A 5630-111 (Overtime) and increase Appropriation Account A 5630-313 by \$400.00.

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. (781-1990)

AWARDING BID FOR TOWN HALL ALTERATIONS AND RENOVATIONS (CULLINGFORD CONTRACTING INC., CARL R. CACIOPPO, ELECTRICAL CONTRACTORS, INC., GENERAL OFFICE EQUIPMENT CO. AND AUTHORIZING ADMINISTRATIVE DIRECTOR, BUILDING DEPARTMENT TO EXECUTE NECESSARY CHANGE ORDERS - CHARGE TO CAPITAL FUND ACCOUNT H-1690-409 AND H-1680-409

Co. Maloney offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Administrative Director, Building Department, Lawrence

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RESOLUTION NO. (781-1990) Continued

Kohler, Director of Purchasing and Betram J. Cross, Architect, P.C. that

BID #65-1990
TOWN HALL ALTERATIONS AND RENOVATIONS

is hereby awarded as follows:

GENERAL CONTRACTOR to Cullingford Contracting Inc., William D. Cullingford, President, 4 Lynhaven Drive, New City, NY 10956, at a total of \$49,889.00

ELECTRICAL to Carl R. Cacioppo, Electrical Contractors Inc., Carl R. Cacioppo, Joseph V. Cacioppo and Vincent Cacioppo, Principals, 10 Burnside Ave., P.O. Box 194, Congers, NY 10920 at a total of \$34,900.00

SYSTEMS FURNITURE to General Office Equipment Co., Inc. - Bennet Weil, Robert Grillo, Garth Weil, Ted Grillo, Steve Grillo, Ken MacLeod and Jack Manillar, Principals, 381 Market Street, Saddle Brook, NJ 07662 at a total cost of \$39,979.96

TOTAL AWARD \$124,768.96

and be it

FURTHER RESOLVED, that the Administrative Director, Building Department is hereby authorized to execute any necessary change orders on behalf of the Town of Clarkstown, based upon the recommendation of Bertram J. Cross, Architect, P.C., not to exceed \$137,768.96 to be allocated against Capital Fund Account H-1690-409 and H-1680-409.

Seconded by Co. Kunis

Councilman Kunis said the bottom paragraph said it is not to exceed \$137,000.00. Is that including the \$124,000.00? He was told that was correct.

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. (782-1990)

AWARDING BID FOR BID
#61A-1990 - CONTINUOUS
POWER SUPPLY UNIT FOR A
S400 COMPUTER (LIEBERT
ASSOCIATES, INC.)

Co. Maloney offered the following resolution:

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

BID #61A-1990
CONTINUOUS POWER SUPPLY UNIT FOR A S400 COMPUTER

is hereby awarded to

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RESOLUTION NO. (782-1990) continued

LIEBERT ASSOCIATES, INC.
130 West 30th Street
New York, N.Y. 10001
Liebert is a subsidiary of Emerson Electric Corporation, a public corp.

for one (1) Liebert 10KVA model UDC63010C25RT UPS as per their proposed cost of \$22,102.00.

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. (783-1990)

AUTHORIZING DIRECTOR OF PURCHASING TO READVERTISE FOR BIDS FOR BID #65A-1990 - TOWN HALL ALTERATIONS AND RENOVATIONS - HVAC

Co. Maloney offered the following resolution:

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

BID #65A-1990
TOWN HALL ALTERATIONS AND RENOVATIONS - HVAC

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 2:00 P.M. on Monday, October 1, 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. (784-1990)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #68-1990 - GROUNDSKEEPING EQUIPMENT

Co. Maloney offered the following resolution:

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

BID #68-1990
GROUNDSKEEPING EQUIPMENT

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RESOLUTION NO. (786-1990) Continued

Co. Smith 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:

Pittsford Way Nanuet
(Install - One (1) wooden, laminated pole.
Install - One (1) 5800 lumen sodium vapor
street light on pole to be installed between
house numbers 36 and 40 Pittsford Way, Nanuet)

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. (787-1990)

AUTHORIZING ATTENDANCE AT
ANNUAL CONFERENCE OF THE
STATE MAGISTRATES'
ASSOCIATION (WRAY,
WAITZMAN, RONES AND
ALFIERI, JR.) - CHARGE TO
ACCOUNT NO. A 1010-414

Co. Kunis offered the following resolution:

RESOLVED, that Justices Wray, Waitzman, Rones and Alfieri, Jr. be authorized to attend the Annual Conference of the State Magistrates' Association held at Ellenville, New York, from October 15-17, 1990, and be it

FURTHER RESOLVED, that the expense for the above plus travel and other necessary expenses be charged to Account No. 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. (788-1990)

AUTHORIZING ATTENDANCE AT ANNUAL CONFERENCE OF NEW YORK STATE ASSOCIATION OF MAGISTRATES COURT CLERKS (JOANN GEARY) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Kunis offered the following resolution:

RESOLVED, that Joann Geary, Justice Court Clerk, is hereby authorized to attend the Annual Conference of the New York State Association of Magistrates Court Clerks in Fallsview, New York from October 14-17, 1990, and be it

FURTHER RESOLVED, that all proper charges be charged against Appropriation Account No. 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. (789-1990)

AUTHORIZING ATTENDANCE AT EQUALIZATION RATE COURSE SPONSORED BY NEW YORK STATE DIVISION OF EQUALIZATION & ASSESSMENT (THOMAS J. ISENBK) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Kunis offered the following resolution:

RESOLVED, that Thomas J. Isenbek, Real Property Data Collector of the Town of Clarkstown is hereby authorized to attend the Equalization Rate Course sponsored by the New York State Division of Equalization & Assessment and given in Monticello, New York from October 2-5, 1990, and be it

FURTHER RESOLVED, that all proper charges be charged against line 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. (790-1990)

AUTHORIZING ATTENDANCE AT ANNUAL NEW YORK STATE BUILDING OFFICIALS CONFERENCE (FOUR STAFF MEMBERS OF BUILDING DEPARTMENT TO BE DESIGNATED BY EDWARD GHIAZZA, ADMINISTRATIVE DIRECTOR, BUILDING DEPARTMENT) - CHARGE TO ACCOUNT A 1010-414

RESOLUTION NO. (790-1990) Continued

Co. Kunis offered the following resolution:

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

- (1) The Annual New York State Building Officials Conference, Ellenville, N.Y. from October 3-5, 1990

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. (791-1990)

AUTHORIZING ATTENDANCE AT COURSES 393-395 "SMALL GAS ENGINE REPAIR FOR INDUSTRY I, II, III (SECOR AND CAMADECO) - CHARGE TO ACCOUNT NO. A 1010-414

Co. Kunis offered the following resolution:

RESOLVED, that Henry Secor and Al Camadeco are hereby authorized to attend Courses 393-395 "Small Gas Engine Repair for Industry I, II, III," to be held at BOCES, commencing September 27, 1990, 7 - 10 p.m., once a week for a total of 90 hours of instruction, and be it

FURTHER RESOLVED, that all proper charges be charged to Account No. 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. (792-1990)

AMENDING RESOLUTION NO. 600-1989 CONCERNING AGREEMENT WITH JOHN COLLINS ENGINEERS, P.C. RE PROPOSED ROAD ACCESS AND OFFSITE ROADWAY IMPROVEMENTS TO ROCKLAND SHOPPING CENTER AND TO CALDORS' PROPERTY, ROUTE 59, NANUET, NEW YORK - FEE TO BE CHARGED TO ACCOUNT NO. H 5110-09-409

RESOLUTION NO. (792-1990) Continued

Co. Smith offered the following resolution:

RESOLVED, that Resolution No. 600-1989 adopted by the Town Board on June 27, 1989, authorizing the Supervisor to enter into an agreement with John Collins Engineers, P.C., to provide the Town with engineering services with respect to the proposed road access and offsite roadway improvements to the Rockland Shopping Center and to the Caldors' property, Route 59, Nanuet, New York, is hereby amended to read as follows:

"Resolved, that the sum of \$23,000 is hereby appropriated to pay for said engineering services, which fee shall be charged to Account No. H 5110-09-409."

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. (793-1990)

SETTING PUBLIC HEARING RE
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER
EXTENSION TO INCLUDE CRESCO
SALES, INC.

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated August 20, 1990 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 No. 1 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 25th day of September, 1990, at 8:00 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. 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. (794-1990)

REFERRING REQUEST TO MODIFY
RESTRICTIVE COVENANTS TO
CLARKSTOWN PLANNING BOARD
AND SETTING PUBLIC HEARING
RE SAME (GUISEPPE DE PAULIS
- MAP 129, BLOCK A, LOT
5.02)

Co. Smith offered the following resolution:

WHEREAS, by Town Board Resolution No. 589-1985, upon the application of GUISEPPE DE PAULIS, a zone change was granted from an LO District to an LS District for property located on the West side of Route 9W, Congers, New York, designated on the Clarkstown Tax Map as Map 129, Block A, Lot 5.02, and

WHEREAS, said zone change was granted subject to a Declaration of Covenants, and

WHEREAS, a Declaration of Covenants dated May 2, 1988, was filed in the Rockland County Clerk's Office on June 13, 1988, in Liber 297 at Page 731, which contained a covenant limiting the use of and building on the subject premises to Professional Offices and Retail Sales of building materials, hardware, home appliances, energy saving and solar energy devices, and firewood and bagged coal, and

WHEREAS, Henry Horowitz, attorney for Giuseppe DePaulis, has petitioned the Town Board of the Town of Clarkstown for modification of the covenant to allow for a limited menu restaurant;

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 9th day of October, 1990, at 8:00 P.M., to consider modifying the Restrictive Covenants dated May 2, 1988, filed in the Rockland County Clerk's Office on June 13, 1988, in Liber 297 at Page 731, to add the following:

"1. c. Limited menu restaurant"

and be it

FURTHER RESOLVED, that a copy of 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, 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, and be it

FURTHER RESOLVED, that procedures for notification of area property owners contained in Section 106-32C of the Zoning Ordinance of the Town of Clarkstown shall be complied with and the

Continued on Next Page

RESOLUTION NO. (794-1900) Continued

legal description of the subject property shall be supplied by the petitioner or his representative.

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. (795-1990)

REFERRING REQUEST TO MODIFY
RESTRICTIVE COVENANTS TO
CLARKSTOWN PLANNING BOARD
AND SETTING PUBLIC HEARING
RE SAME (HEGARTY HOMES,
INC. - MAP 120, BLOCK A,
LOTS 28 AND 31.01)

Co. Maloney offered the following resolution:

WHEREAS, by Town Board Resolution No. 464-1988, upon the application of HEGARTY HOMES, INC., a zone change was granted from an LO District to a CS District for property located on the North side of Route 59, Central Nyack, New York, designated on the Clarkstown Tax Map as Map 120, Block A, Lots 28 and 31.01, and

WHEREAS, said zone change was granted subject to a Declaration of Covenants, and

WHEREAS, a Declaration of Covenants dated February 15, 1990, was filed in the Rockland County Clerk's Office on May 1, 1990, in Liber 406 at Page 2078, which contained covenants on the subject premises, and

WHEREAS, Henry Horowitz, attorney for Hegarty Homes, Inc., has petitioned the Town Board of the Town of Clarkstown for modification of the covenant;

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 23rd day of October, 1990, at 8:10 P.M., to consider modifying the Restrictive Covenants dated February 15, 1990, filed in the Rockland County Clerk's Office on May 1, 1990, in Liber 406 at Page 2078, and be it

FURTHER RESOLVED, that a copy of 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, and be it

Continued on Next Page

RESOLUTION NO. (795-1990) Continued

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, and be it

FURTHER RESOLVED, that procedures for notification of area property owners contained in Section 106-32C of the Zoning Ordinance of the Town of Clarkstown shall be complied with and the legal description of the subject property shall be supplied by the petitioner or his representative.

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. (796-1990)

AUTHORIZING CHANGE OF
STREET NAME IN SPRING
VALLEY - HEDGEROW LANE TO
BYRON STREET

Co. Smith offered the following resolution:

RESOLVED, that the street name Hedgerow Lane, Spring Valley, in the Town of Clarkstown, shall be changed to Byron Street, New City, when the transfer is made by the New City Post Office from Spring Valley to New City.

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. (797-1990)

AUTHORIZING CLARKSTOWN
HIGHWAY DEPARTMENT TO ERECT
"NO DUMPING" SIGNS VICINITY
PASCACK ROAD AND OLIN DRIVE

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby authorizes the Clarkstown Highway Department to erect "No Dumping" signs in the vicinity of Pascack Road and Olin Drive.

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. (798-1990)

AUTHORIZING INSTALLATION OF
FIRE HYDRANT ON ALICE
DRIVE, NANUET AT POINT NO
MORE THAN 500 FEET FROM
GROUP HOME

Co. Mandia offered the following resolution:

WHEREAS, the Nanuet Fire Engine Co., Inc. has recommended that a fire hydrant be installed on Alice Drive in Nanuet, at a point no more than 500 feet from the group homes;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the installation of a fire hydrant on Alice Drive in Nanuet, at a point no more than 500 feet from the group homes.

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. (799-1990)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO PERFORM
PAVING AND MICRO PAVING
SERVICES (VARIOUS AREAS -
TOWN OF CLARKSTOWN)
CHARGE TO CAPITAL 2

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Highway Superintendent is authorized to pave and micro pave the following locations:

PAVING:

Hazen Lane, Congers	\$ 8,637.00	
Roslyn Drive, New City	22,526.00	
Schyler Road, Central Nyack	14,108.00	
West Street, Central Nyack	<u>10,895.00</u>	\$ 56,166.00

MICRO PAVING:

Flitt Street, West Nyack		<u>8,704.00</u>
		\$ 64,870.00

MICRO PAVING CURVES:

W. Clarkstown Rd. (Addison Boyce Dr)
New City/Spring Valley
From curve warning flashing beacon
on north side of W. Clarkstown, south-
westward past intersection Addison
Boyce Dr. to Featherly Ct. \$ 2,115.00

Buena Vista Road, New City
Opposite house #414, south to
utility pole #95/64 1,814.00

RESOLUTION NO. (799-1990) Continued

Buena Vista Road, New City From driveway adjacent to Muller So. past intersection of Rodeo Drive, to utility pole #05/41, north of Wagon Wheel Drive	3,567.00	
Red Hill Road, New City From utility pole #83/42 east to driveway at house #182 and opposite driveway house #199 Red Hill Road	1,193.00	
Red Hill Road, New City From sidewalk east of Patriot's Ct. to utility pole #68/80 in front of house #'s 109 & 110 Red Hill Road	2,402.00	
Red Hill Road, New City From east side Link Elementary driveway, east to intersection Little Tor Road	6,528.00	
Germonds Road, New City From east side Jean Lane, east past intersection Gerlach Drive, east past Theise Terrace (private road), Indian Head Realty to edge of concrete curb	3,774.00	
Burda Lane (Avenue), New City From utility pole #15/65 in front of house #48, northwest to utility pole #13/99 in front of house #52	<u>1,496.00</u>	
		<u>\$22,889.00</u>
	TOTAL	<u>\$87,759.00</u>

and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account No. Capital 2.

Secoded 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. (800-1990)

AUTHORIZING AND DIRECTING
BUILDING INSPECTOR TO HAVE
REMOVED AND DEMOLISHED
UNSAFE STRUCTURE - MAP 111,
BLOCK A, LOT 28.07
(LIPKIND) - RECEIVER OF
TAXES AND ASSESSOR TO
COLLECT EXPENSES INCURRED
BY BUILDING INSPECTOR AND
TOWN ATTORNEY

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RESOLUTION NO. (800-1990) Continued

Co. Maloney offered the following resolution:

RESOLVED, that pursuant to Resolution No. 622/1990, the Building Inspector of the Town of Clarkstown be and he hereby is authorized and directed to have removed and demolished the unsafe structure on premises designated on the Clarkstown Tax Map as Map 111, Block A, Lot 28.07 owned by RUDY LIPKIND, and further authorized and directed to obtain bids pursuant to § 103 of the General Municipal Law, and be it

FURTHER RESOLVED, that all expenses incurred with respect to the removal and demolition of the structure be assessed as a lien against the property, and be it

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

Seconded by Supv. Holbrook

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. (801-1900)

RESCINDING RESOLUTION NO.
580-1990 RE: AGREEMENT WITH
PRYOR, P.R., INC.

Co. Smith offered the following resolution:

RESOLVED, that Resolution No. 580-1990, dated June 26, 1990, authorizing the Supervisor to enter into an agreement with Pryor, P.R., Inc. is hereby rescinded.

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. (802-1990)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
PRYOR, P.R., INC. FOR
PROFESSIONAL SERVICES TO
DEVELOP ANTICIPATED
PROJECTS OF CLARKSTOWN
BICENTENNIAL COMMISSION -
CHARGE TO ACCOUNT NO. A
7550-409

Co. Smith offered the following resolution:

WHEREAS, the Town of Clarkstown is celebrating its Bicentennial in the year 1991, and

Continued on Next Page

RESOLUTION NO. (802-1990) Continued

WHEREAS, the Clarkstown Bicentennial Commission has recommended that Pryor, P.R., Inc. be hired by the Town to develop all the anticipated projects, including, but not limited to public relations, publicity and event planning,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Pryor, P.R., Inc. for professional services to develop the anticipated projects of the Clarkstown Bicentennial Commission, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the total fee for such services shall not exceed \$60,000.000, excluding production costs from other vendors, and shall be charged to Account No. A-7550-409.

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. (803-1990)

RESCINDING PROPOSALS FOR
BID #16A-1990 - POLICE
UNIFORMS AND AUTHORIZING
DIRECTOR OF PURCHASING TO
READVERTISE FOR BIDS FOR
BID #16B-1990 - POLICE
UNIFORMS

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that all proposals received for:

BID #16A-1990
POLICE UNIFORMS

are hereby rescinded, and

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

BID #16B-1990
POLICE UNIFORMS

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 1, 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. (804-1990)

AUTHORIZING JOHN'S TREE CARE TO REMOVE THREE LARGE DEAD ASH TREES ALONG DEMAREST MILL STREAM OFF STRAWTOWN ROAD, WEST NYACK - CHARGE TO ACCOUNT NO. DB 5110 413

Co. Maloney offered the following resolution:

BE IT RESOLVED, that upon recommendation of the Town Highway Superintendent, John's Tree Care, 9 Summit Place, Nanuet, New York, be authorized to remove three large dead ash trees, located along the Demarest Mill Stream off of Strawtown Road, West Nyack, including take-down and removal at an estimated cost of \$2,000.00, and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account No. DB 5110 413.

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. (805-1990)

AUTHORIZING JOHN'S TREE CARE TO REMOVE TWO DEAD ASH TREES ON LAKE DRIVE, NEW CITY DRAINAGE EASEMENT - CHARGE TO ACCOUNT NO. DB 5110 413

Co. Maloney offered the following resolution:

BE IT RESOLVED, that upon recommendation of the Town Highway Superintendent, John's Tree Care, 9 Summit Place, Nanuet, New York, be authorized to remove two dead ash trees on 37 Lake Drive, New City, drainage easement, to allow for the extension of additional drainage pipe, inclusive of take-down and removal, at an estimated cost of \$850.00, and be it

FURTHER RESOLVED, that all proper charges be allocated against Appropriation Account No. DB 5110 413.

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. (806-1990)

ACCEPTING RESIGNATION OF LABORER - SANITARY LANDFILL (DAVID J. HETHERINGTON)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (806-1990) Continued

RESOLVED, that the resignation of David J. Hetherington, P.O. Box 117, Godeffroy, New York 12793 - Laborer - Sanitary Landfill - is hereby accepted - effective and retroactive to August 15, 1990.

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. (807-1990)

ACCEPTING RESIGNATION OF
WEIGHER - SANITARY LANDFILL
(RICHARD LANDI)

Co. Maloney offered the following resolution:

RESOLVED, that the resignation of Richard Landi, 16 Hemlock Road, Congers, New York - Weigher - Sanitary Landfill - is hereby accepted - effective and retroactive to July 19, 1990.

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. (808-1990)

APPOINTING TO POSITION OF
OFFICE WORKER STUDENT -
PURCHASING DEPARTMENT (LISA
BRUNO)

Co. Maloney offered the following resolution:

RESOLVED, that Lisa Bruno, 4 Meyer Lane, New City, New York, is hereby appointed to the position of Office Worker Student - Purchasing Department - at the current 1990 hourly rate of \$4.50, effective and retroactive to September 4, 1990.

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. (809-1990)

RECOGNIZING APPOINTMENT BY
PARKS BOARD AND RECREATION
COMMISSION OF CLERK
STENOGRAPHER - PARKS BOARD

RESOLUTION NO. (809-1990) Continued

AND RECREATION COMMISSION
(MARGARET SMITH)

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Parks Board and Recreation Commission of Margaret Smith, 4 Crieff Lane, New City, New York, to the position of Clerk Stenographer - Parks Board and Recreation Commission - at the current 1990 annual salary of \$16,814.00, effective and retroactive to August 20, 1990.

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. (810-1990)

AMENDING RESOLUTION NO.
(751-1990) GRANTING SICK
LEAVE OF ABSENCE WITH
ONE-HALF PAY TO CUSTODIAL
WORKER - MAINTENANCE
DEPARTMENT (RAYMOND
DeFOREST, III)

Co. Maloney offered the following resolution:

RESOLVED, that Resolution No. (751-1990) adopted at the August 14, 1990 Town Board meeting - granting Raymond DeForest, III - Custodial Worker - Maintenance Department - a sick leave of absence - with one-half pay - is hereby amended to read "effective August 29, 1990 to October 1, 1990.

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. (811-1990)

APPOINTING TO POSITION OF
(PROVISIONAL) SENIOR
TRANSIT CLERK AND BUS
DRIVER - MINI TRANS
DEPARTMENT (JAMES J. COMER)

Co. Maloney offered the following resolution:

RESOLVED, that James J. Comer, 11 Forest Brook Road, Spring Valley, New York, is hereby appointed to the position of (provisional) Senior Transit Clerk and Bus Driver - Mini Trans Department - at the current 1990 annual salary of \$18,316.00, effective and retroactive to September 10, 1990.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (811-1990) Continued

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

RESOLUTION NO. (812-1990)

ESTABLISHING POSITION OF
 TELEPHONE OPERATOR TYPIST
 (ENCUMBERED BY ARLEEN
 JANIS) AT GRADE 15

Co. Maloney offered the following resolution:

RESOLVED, that the grade for the position of Telephone
 Operator Typist (encumbered by Arleen Janis) is hereby established
 at a grade 15 - effective September 17, 1990.

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. (813-1990)

AUTHORIZING TOWN CLERK TO
 ISSUE TEMPORARY LETTER OF
 AUTHORITY TO RESIDENTS TO
 DISPOSE OF BRANCHES AND
 BRUSH AND HOUSEHOLD DEBRIS
 AT SANITARY LANDFILL
 (EXCLUDING COMMERCIAL
 ENTERPRISES)

Co. Mandia offered the following resolution:

RESOLVED, that the Town Clerk is hereby authorized to
 issue a temporary letter of authority for the disposal of branches,
 brush and household debris by homeowners, in a three quarter ton, or
 smaller, pickup truck or van but not by commercial enterprises, at
 the Clarkstown Sanitary Landfill without payment of a fee.

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

Councilwoman Smith requested that Mr. Les Bollman,
 Director of the Department of Environmental Control, be prepared at
 the next workshop to be number 1 on the agenda, to discuss the chart
 regarding the Landfill. Supervisor said it will be put on the
 agenda of the September 18th workshop. Councilman Mandia said it
 would be wise to set aside some time at the next workshop just for
 the Landfill.

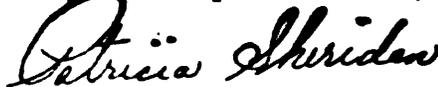
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On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment of the Official Map of the Town of Clarkstown to Allow for 120 Foot Width of Route 59 from Hopf Drive, Spring Valley to North Greenbush Road, West Nyack, New York, was opened, time: 8:35 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Amendment of the Official Map of the Town of Clarkstown to Allow for 120 Foot Width of Route 59 from Hopf Drive, Spring Valley to North Greenbush Road, West Nyack, New York, was adjourned until October 23, 1990, time: 9:30 P.M.

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 Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 9:36 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

211

Town Hall

9/11/90

8:35 P.M.

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

RE: AMENDMENT TO OFFICIAL MAP TO ALLOW FOR 120 FOOT WIDTH
OF ROUTE 59 FROM HOPF DRIVE, SPRING VALLEY TO NORTH
GREENBUSH ROAD, WEST NYACK

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

Town Attorney said the Clarkstown Planning Board recommends approval. The Rockland County Commissioner of Planning also recommends approval. There is a recommendation from our consultant that this will have no adverse environmental impact. However, thirty days have not elapsed so that no action can be taken until after the 26th of September. You can have the public hearing this evening but you cannot make a decision.

Supervisor Holbrook said essentially the purpose of the public hearing and the request by the Planning Board is to take a look at the Route 59 corridor as it exists throughout most of the Town of Clarkstown. He noted that in some points in the Town it already encompasses the right of way that has been proposed. In other places it does not. He said obviously a large portion of this is included in the corridor study that was done by the Town Board in 1986 and certain improvements are now being prepared by the State of New York. That is from the former Hopf Drive through the base of the Sheraton property which is just beyond Smith Street. That was the subject of an informational meeting by the State a month or so ago. Essentially, this puts the boundaries of Route 59 on the Official Map of the Town of Clarkstown.

Supervisor said one of the major purposes of the Planning Board making this recommendation is to indicate that if there were to be future development along the Route 59 Corridor that it would be easier to obtain the right of way necessary to accommodate this development. This particular meeting is to just solicit public input which we can then collate and forward to our planning consultants and the Planning Board members for further review. He noted that as Mr. Jacobson said, the Town Board will not make any decision on this tonight but will hear any and all interested parties regarding this corridor. The portion that the State is already planning will be the subject of another public informational meeting at a future time.

Appearance: Mr. Charles Kennedy
West Nyack, New York

Mr. Kennedy stated he was a little puzzled as to the extent of this change. Supervisor said it goes from the Spring Valley Market Place all the way to North Greenbush Road. Mr. Kennedy asked if there was any kind of map or outline of what is proposed? Supervisor said the Planning Board had made this recommendation but the Town Board members do not have it here. Mr. Kennedy said then right now we have no way of finding out what is going to happen to whose property? Supervisor said they are talking about a width of 120 feet.

Town Attorney said there is a right of way of a road and there is some portion that is paved. The mere fact that you designate a right of way doesn't mean that you are going to pave the full 120 feet. In fact the chances are that you would never pave 120 feet because you would need shoulders, etc. The purpose of

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PH - Amendment to Official Map to Allow for 120 Foot Width of Route 59 from Hopf Drive, Spring Valley to North Greenbush Road, West Nyack

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designating on an official map is that in the future if somebody builds within the designated right of way and then the State wants to widen the road they would not have to pay compensation for that because these people knew when they built within that designated right of way that it was shown on the official map. That is what the purpose of official maps is so that people will not build within the proposed right of way and then you have to condemn it and the taxpayer has to pay for it. If you designate it on these maps, either Town, County or State, in that fashion you prevent acquisition costs at a later time which costs the taxpayer money.

Mr. Kennedy said that is fine for the future but what about people whose property is being taken now. Supervisor said no property is being taken. If the Town Board were to approve this we would designate the width of Route 59 right of way as 120 feet. It would be the total width of the street not 120 on one side and 120 on the other. It would be from the center line. Supervisor said the width varies now. He said the only area which is proposed right now for the state to do any construction on is the area that was the subject of the public informational meeting which was held a month or so ago. This is to set on the Official Map so that everyone can see there will be no encroachments put within that 120 foot right of way all the way through as Mr. Jacobson explained.

Mr. Kennedy said he thought it would behoove the Town Board to get some kind of preliminary map so that not only the people but also the Town Board knows what is going to happen and where it is going to happen. Supervisor said that is one of the reasons why the Town Board Members are not prepared to make a decision tonight. We need to have some additional information regarding this. He said it is important with the various projects which are underway right now as well as whatever improvements might be done in the future that we need to have these maps designated.

Mr. Kennedy asked if this was going to be a state highway project, state funding? Supervisor said the only state project is the one that is underway right now. He said he is not aware of any other state projects to improve Route 59 beyond the Sheraton - east. Supervisor said if we were to approve this tonight, which we are not going to do, we would be establishing a right of way on an official map. Essentially, you would not be able to build or encroach into that official map line. We are not taking any land and certainly any improvement to Route 59 would either have to be done by the State or would have to be done as a special work permit paid for by the property owners or the developers.

Mr. Kennedy asked if anyone here knew what the present right of way is? Supervisor said it varies from location to location. That is why we need some additional maps. Mr. Kennedy said he is speaking for himself. He is down by the corporate center. What is it there? Supervisor said it approximates 120 feet in that area where it is already four lanes with a median. Mr. Kennedy said then there will be no additional work at that particular point. Supervisor said he could not state that 100% in regard to that but at that location, that improvement was done recently but the widening of that portion of Route 59 was done quite a while ago. That is where it is probably at its widest.

Appearance: Mr. Barry Fisher
Foxwood Road

Mr. Fisher stated he backs on to Route 59. He said his concern is that he is watching his neighborhood turn into a business district which troubles him.

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He said there is not that much traffic on Route 59 that warrants a three lane highway if that is what the proposal is. Supervisor said where you are you have two lanes on either side going east and west so it is unlikely that there would be any widening particularly because you have steep banks there.

Mr. Fisher asked if there had been any consideration of noise abatement. Supervisor said that is something that we can approach the State with. He said he was on Foxwood the other day and that subject was broached to him. He said that is a point well taken.

Councilman Mandia said to Mr. Fisher that the hearing to which the Supervisor referred was about a month ago. They had a whole map of what they are planning and this is not until 1994, at best. It doesn't affect anything east of Route 304. It kind of ends on Smith Road. He said his opinion, from what the man was saying, is there is no need to do anything beyond that in the foreseeable future. What they are planning is not going to happen until 1994. They are basically interested in Route 304 out to the Spring Valley Market Place. Those properties that are going to be affected were listed and shown and there were certain businesses along Route 59 that are going to be affected especially around Middletown Road interchange.

Councilman Maloney said there will be a public hearing in the spring of 1991 but they don't anticipate doing anything until 1993 or 1994.

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

Mr. Goetz said he is the Chairman of the Transportation Advisory Council of Rockland County. He gave the Town Board some handouts to be read at a later date. He referred to an article which explained environmental alternatives for highway construction. He said we must very seriously look at this and when we plan any sort of highway construction, like this one will be, we must see if there are transportation alternatives to this. He urged the Town Board to please look at these transportation alternatives.

He referred to a recommendation for what to do with the western end of the road right at the Spring Valley Market Place. He said the County is proposing to make a connection between Pascack Road and Route 59 through the commuter parking lot. He said we see this as one of the few road improvements that will not only relieve traffic congestion but also dramatically improve mass transit in the area. He said we should consider something along this line to help the traffic at the other end in front of the Spring Valley Market Place. He said they strongly support this and also have the support of Mr. Chase and Mr. DaCunha from the County on this. He urged the Town to very carefully consider this proposal when they do the planning for the right of way.

Supervisor said a few weeks ago Councilwoman Smith brought Mr. DaCunha and Mr. Chase as well to a Town Board meeting in which they asked the very questions which you are asking and the Town Board at that time indicated their support for that project as well. He added as a matter of fact, Mr. Schaeffer from Red and Tan Lines called him yesterday regarding this project and what improvements to bus transportation they would intend to make of that parking lot - perhaps a bus center which would improve mass transit.

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Mr. Goetz said they would require the cooperation of the Thruway Authority for a bus turnout that would probably be on their property.

Mr. Goetz said when you are declaring this right of way expansion, this means that this property is eventually set for condemnation if the State needs to take it for the right of way for this highway expansion. He said we really have to know, as taxpayers, what does this mean to the assessment? How much is this property really worth? If we widen the highway, how much will be driven off the tax rolls by the condemnation of the existing structures and the taking away of the land which is taxable real estate now, except for some of the church property and a little bit of New Jersey Transit. How will this affect our taxes? He said that has been sidestepped by DOT. We here in the Town do have that information and any planning function should present this and let the taxpayers know exactly what is going to happen and what will be the impact on the assessed valuation of our town as a result of this project.

Appearance: Mr. Phil Amato
West Nyack, New York

Mr. Amato said at the proposed Pyramid Mall there is planned a route overpass over Route 59. Supervisor said that would be something of a work permit which Pyramid Corporation would have to take out. He said the area to which Mr. Amato is referring heading down the hill toward the east adjacent to Foxwood he could not envision there being any need to widen that road any further than it has been already widened. He said the amount of cars envisioned for that area could create a heavy traffic jam there backing up into a bottleneck on Route 303.

Supervisor said even if that section were to be widened in the future it would have to be widened by the State. You have the Corporate Park which already had the work permit to create the turn. On the other side you have private residences and they have no interest in widening the road nor paying for it. Even if the state down the road, you would be talking into the 21st century before they would ever envision widening there, if at all. He said it was difficult enough to get the state to agree to take a look at the western portion which is far more critical from the intersection point of view.

Mr. Amato said he was concerned as to what that overpass is going to do and whether they are going to be building on to that proposed right of way. Supervisor said they own that portion of the property. They would put the pilings there if they were going to construct it and they would go over the right of way. But all that would have to be achieved by work permits from the State of New York Department of Transportation.

Appearance: S. Martin Gordon, Esq.
representing Model Electronics

Mr. Gordon said they are located on Route 59. He said his concern is that this Board is holding a public hearing and you haven't given his clients the opportunity to see what impact there will be upon their property. He said you must have a map to have this public hearing. Supervisor said the Planning Board had a public hearing and there was a map there. He said Mr. Gordon is right and he thinks that is one of the reasons the Town Board is not prepared to make any decision tonight and to allow people the opportunity to see that impact.

Mr. Gordon said he is making a request that before this Town Board adopt anything or approve anything, that you extend this

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public hearing, put a map on the wall so that his clients and other people will have an opportunity to see whether there is an impact upon their property.

Councilman Mandia asked Mr. Gordon if his client was invited to the State hearing which was held here. Mr. Gordon said yes. This is a whole different ballgame. He said he did not know what kind of an impact, if any, there will be.

Supervisor said within the thirty day period there will be a map available to show exactly where the right of way is. Mr. Gordon said they would like to have notice. Supervisor said absolutely.

Appearance: Mr. Bruce McDonald

Mr. McDonald spoke regarding the light going from Caldor's to the old Korvette's which he was against but which he understands was approved. He said this light will hinder rather than help him. He asked if he was going to have to pay for it? He said he is within 500 feet of this light. Supervisor said he is not sure that he would have to. He said only affected property owners there would have to pay for the construction of that cross. Mr. McDonald said they said anyone within 500 feet. Town Attorney asked Mr. McDonald which property was his? He said it was right next to Chemical Bank. Councilman Mandia said that was not included. Town Attorney said they are doing the actual survey but if he wanted to come over to his office he would show him which properties are affected. Mr. McDonald said will he be reassessed. Town Attorney said there are only three properties involved. He asked Mr. McDonald to please come to his office and they will show him which properties are involved.

Appearance: Mr. Nick Torterello
160 Foxwood Road
West Nyack, New York

He said he is concerned about the section that used to be called Cherry Hill which runs down to Route 303. He said should the Pyramid Mall, if it is ever built, become extremely popular and people come over from New Jersey and Westchester you can almost predict that somebody somewhere is going to want to widen that road. He listed concerns of residents in the area such as small children playing in the area; major drainage flooding problem at the top of the hill; noise from Route 59; robberies and security problem; future traffic jams; and proposed right of way which could lead to widening of the road in the future. He preferred the right of way be stopped at the Sheraton. He did not think there was a need to go beyond that point.

Supervisor said when we have the map and we put what the right of way is and what is intended in your section it might already be 120 feet. We will then be able to talk a little bit more intelligently about it.

Appearance: Mr. John Zwynenburg
West Nyack

Mr. Zwynenburg said he thought it was imperative that we have a source of information - the map, the report that explains that there is no environmental or adverse impact. He asked if there was a name, an address and a telephone number that could be revealed to the residents tonight in case they want to pursue that. Supervisor said essentially our Planning Board recommended this and because it involved a State highway the Rockland County Commissioner of Planning also had to be involved. He gave the Clarkstown Planning Board's number as 639-2070. He said Commissioner Chase

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could be reached at the County at 638-5000 (Commissioner of Planning). Mr. Zwynenburg said several of the people raised some questions about the need for the highway. He said from a commercial basis when you go to the western part of Route 59 the need is evident. When you come to the eastern part of the Town it appears to not be a need. There appears to be a need for less noise, less air pollution, less garbage on the road, less increased speed. He said it is tough to make a turn from a highway that is slated at 50 mph and make a 90 degree turn when you have to go 15 mph or 20 mph.

He asked would it be possible for the Town Board to segment the approval to the Official Map and have it approved as suggested perhaps west of Route 304 where the commercial zone is and east of Route 304 which either side of Route 59 is primarily residential. Many of those homes and their roads need safe and adequate ingress and egress as well as safety for our children, etc. He said the plan should distinguish between the western and eastern parts and maybe the whole carte blanche should not be given at this time.

Supervisor said when we get the map it is very likely that in your section it might be 120 feet already. Mr. Zwynenburg said there would be the need for noise abatement, buffer in the way of trees again from residences on each side there so the visibility wouldn't be changed from a residential environment to strictly a commercial environment and maybe those things could be taken into consideration as you are thinking about either approving it just to a certain point or approving it for the future.

Appearance: Mr. Wild
Grandview Avenue
Nanuet, New York

Mr. Wild asked if this was going to be brought up to any sort of hearing where the people will vote on it? Supervisor said the decision to put this right of way on the Official Map would be made here by the Town Board. The actual physical improvements to Route 59 which would be in your area will be the subject of a public meeting and a public hearing sometime in 1991 or 1992. Mr. Wild asked would the public be able to object to this? He was assured that they certainly could. Mr. Wild said it was his impression that the State said this had to be done, it was going to be done, money was set aside for it and we have nothing to say about it.

Supervisor said that was done at the behest of the Town Board and that the State has allocated the money to do the final plans and to acquire the necessary properties with the removal of the railroad trestle and its rebuilding. They need to have a designated highway fund once that is done to actually do the physical construction which they would anticipate starting by January 1st of 1994. In the interim before anything is finalized there will be a public hearing at which time the public would be involved.

Mr. Wild said if enough people objected to the Town Board would the Town Board say to the State we are very sorry but our taxpayers do not want this? Supervisor said he thought Mr. Wild was talking specifically about the construction improvement that is going to be done on Route 59. He said the Town Board is committed to having that improvement done. There are various ways that it can be done. There are acquisitions made on the north or south side of Route 59 depending on the properties. There are also alternatives to turning, etc., where public input would be very helpful. He said

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he would be lying if he did not say that the Town Board has certainly committed itself for that section. Otherwise the State would not have earmarked the \$30,000,000.00 for planning and for acquisition of property.

Mr. Wild said we are going to have a map before you make a decision, right? If we come down and object to certain things, would you say we have enough people to object to certain things? Supervisor said that input would be taken into consideration. If there is a map that exists already for the Nanuet section. The section to the east and the West Nyack area will be produced for the continuation of this hearing. There will be at least two more meetings prior to any construction being done in the Nanuet area and they will be made public.

Mr. Wild asked if their objections will be considered? Supervisor said yes and also their suggestions will be considered.

Appearance: Bernadette Sheridan
 134 Foxwood Road
 West Nyack, New York

Mrs. Sheridan asked what the notification policy was regarding these meetings. She stated that she reads the Journal News religiously. No notice was given to her whatsoever. She did note that she lives more than 500 feet from the area and the Supervisor stated that was the reason she did not receive an individual notification. She thought from reading the paper that this was going to end at the Sheraton. Now we are talking about Hopf Drive to North Greenbush Road. Supervisor said you are talking about the construction portion of what the State is doing which only goes to the Sheraton. Mrs. Sheridan said everything she read in the paper stopped at the Sheraton. Supervisor said that is not construction. What they are talking about here is placing a right of way on the Official Map of the Town. There is no money from the State earmarked for any construction of acquisition of land beyond the Sheraton.

Mrs. Sheridan asked then why is North Greenbush Road on here? Supervisor said because that is the terminus where the cloverleaf is down in West Nyack. She said you are saying that nothing is going to happen east of Route 304. Supervisor said, in his personal opinion, he believed that nothing is going to happen in the area adjacent to Foxwood down to where the medical building is there. He said if Pyramid is constructed and they talk about the overpass over Route 59 under a work permit from the State obviously there is going to be some work done down in that area but there have been no plans by the State and certainly no money earmarked by the State to make any improvement along the Foxwood Corridor.

Councilman Maloney said when they had their public hearing here back in June and they had all the maps here they indicated that the money that they have allocated and the only thing they planned to do is from Hopf Drive down to the Sheraton - nothing beyond that. He added that most of the work is going to be done at the Four Corners. There will be another public information hearing in the spring of 1991 and a final hearing probably the early part of 1992 and they won't begin construction until 1994 in that section. He stated that they have been talking about how the road pattern will go, where the turns will be made onto Middletown Road, what properties will be taken away on the south side of Route 59. Tonight's meeting is something entirely different.

Councilman Mandia said Mrs. Sheridan's concern was valid in that it is going to open up a possibility. He said he would like to adjourn this public hearing and reschedule it sometime when we have the maps and the Planning Board information is here.

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so that we have a chance to see it. Mrs. Sheridan said that was fine and would the Board please notify the people. Supervisor said that would be done.

Appearance: Mr. Anthony Capellino
164 Foxwood Road
West Nyack, New York

Mr. Capellino noted that Route 59 is a State highway. He said his neighbor has already told you about the problem that they have been having for years. He said he has been living there for 28 years and for 28 years they have had nothing but a water problem. It is now unbearable and when it rains it looks like there is a river. He said New York State says it is not their responsibility but his and he should correct the problem. He said why should he correct the problem if the water is running off Route 59? There is no proper drainage. He noted that he had come to the Supervisor's office and made a complaint and then received a letter from his office.

Mr. Capellino stated that he had also made a complaint to the Environmental Department and no one came down. When you get a heavy rain we have a swamp. Are we waiting for the water to run into our yards or into our houses? Supervisor said our Highway Superintendent, John Mauro and he (the Supervisor) will contact Mr. Hartley who is the local representative of the DOT again and between the three of them they can ascertain whether it is Town or State jurisdiction with regard to this water problem. The drainage coming off Route 59 appears to be the problem.

Mr. Capellino said the telephone company came and put up all new telephone wires. They cut the trees down and left the stumps there. Supervisor said it is a continual problem on Route 59. We have attempted in the spring to have prisoners come out and clean it up. He said because of the traffic litter is a continual problem.

Mr. Capellino said within the last couple of weeks at least seven homes were broken into in our area. It is outrageous. It is very easy for someone to come off the Palisades Parkway, go through the bushes, hit a house. Supervisor said they are aware of the problem and the police are actively working on it. The parkway seems to be a corridor for a rash of burglaries and there is no question about it. Mr. Capellino said he would like someone to please come over and take a look at their yards. Supervisor said they would take a look at the drainage problem there.

Appearance: Mr. Jeff Medwid
152 Foxwood Road
West Nyack, New York

Mr. Medwid said to help out in solving the burglary problem and the noise problem perhaps there would be a possibility of a sound barrier fence which is 15 foot high. It would stop the sound from coming through and it would stop the people intending robbery from being able to come through. He said it could be done from the highway up so it would not destroy properties. He asked if that had been given any consideration?

Supervisor Holbrook said there has not been to this point but Mr. Medwid is right. If you stand on Foxwood Road it is like an echo chamber as the cars go by. It is something that we

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could have the State take a look at when they are doing the improvements up there from that standpoint and maybe they could consider some sound barrier there. He said they have not thought about it to this point but it is something that they might consider when they dedicate the highway funds to make the improvement to the west of Route 59.

Mr. Medwid said when Orange & Rockland came in he was so infuriated because in one day they wiped out thirty feet of buffer which absorbed about half of the sound. There was no reason for it as the wires were up high. Supervisor said when we have the subsequent hearings about improvements to the west we can raise the issue again with them if it has not already been raised to include possibly sound barriers as an improvement.

Appearance: Ms. Leila Stern

Ms. Stern said she was representing her mother who owns a building next to the I HOP and she feels that building will be directly affected by the widening of Route 59 whether you have a present map or not. Supervisor asked the name of the building and was told that right now it is called Kitchen Habitat next to Purcell Glass. She was asked if that was Newman Furniture and she said that it was at one time but it has changed hands several times. She said the building is owned by her mother and it is a source of income. She said she did not understand the machinations of how a property is condemned and how the owner of the property is reimbursed and how far that goes. Supervisor said if that property were to be taken, aside from the value of the land there would also be the value of the business itself. Ms. Stern asked for what kind of a time projection? Supervisor said that has yet to be worked out. They have done a couple of surveys and have not even determined which properties they will fix on as they have three different alternatives. In their plan they do prefer the side that the Howard Johnson's is on which is the south side. Ms. Stern said a newspaper article indicated that although this was the first hearing that we have received notice about concerning the highway. Supervisor said she should have received notice about the state hearing. Ms. Stern said they never received any notice except this one. Supervisor said they took the addresses right from the tax rolls. The owner of the property should have received it. She said she would know if that notice had been received. She said the owner of the property is Esther Roth and she resides in Florida and the mail would have gone there but she (Ms. Stern) would have been notified immediately. Supervisor said he would make sure that they receive notice when the state has a hearing again.

Appearance: Mr. Bruce Broadley
West Nyack, New York

Mr. Broadley said the proposed plan of Pyramid for 875,000 feet is just the tip of the iceberg. He said this is conceptual in nature only. You voted to give them approval for 1.8 million square feet. If they build that out which they had in their studies it would generate not thirty or forty thousand cars a day but over seventy thousand. It would be something like seven department stores and two hundred or two hundred and fifty smaller stores, twelve movie theatres, etc. Feasibility studies have been done on this, as was reported in the Journal News recently.

Mr. Broadley said what is around there now will go away and higher volume things will come in. He said from the corporate park to Prentice Hall essentially from Route 59 to West Nyack Road is all going to be developed as office parks and there will be additional office buildings by the Champion building which is now the Salvation Army building and probably an additional road out to

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Route 59 which will cause a lot of traffic. Mr. Broadley said when 287 hooks up in New Jersey and completes the loop road around New York some newspapers have reported that this will add up to 50,000 additional vehicles a day, mostly trucks, to the New York State Thruway. The politicians in Franklin Lakes and those places were very active in trying to stop it but in Rockland County they just said it was okay. What is going to happen when that opens up is that there will be a standstill on the New York State Thruway virtually every day and a further overflow onto Route 59. These are things that are all going to happen within the next few years and could rapidly make the state change its mind about what it wants to do in that section of Route 59.

He urged the Town Board to please consider all of these very real possibilities. They are all documented either in the media or in official documents and they are there for you to look at.

Supervisor said he would suggest that this hearing be adjourned for a thirty day period to the October 23rd meeting. At that time the Planning Board will be requested to plot out on the maps and people can view them and we can carry on from there. We will adjourn this meeting so that any new input can be added at that time.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was adjourned until October 23, 1990, time: 9:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk