

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/12/91

8:10 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 led by resident Girl Scout. Supervisor Holbrook presented the following proclamation:

GIRL SCOUT WEEK
March 10-16, 1991

WHEREAS, March 12, 1991, is the 79th anniversary of the founding of GIRL SCOUTS OF THE U.S.A., the largest voluntary organization for girls in the world; and

WHEREAS, Girl Scouting is a vital organization for girls who are growing up, enabling them to develop self-esteem and leadership skills, and providing an atmosphere of warm and true friendship; and

WHEREAS, the Girl Scout program not only reflects the enduring values and standards that have been part of the organization since 1912, but also lends itself to the special and unique situation of girls in the 1990s; and

WHEREAS, Girl Scouts of all ages have made important contributions to the life of this, our own home community,

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, by virtue of the authority vested in me as Supervisor of the Town of Clarkstown, and on behalf of the Town Board, hereby proclaim March 10-16, 1991 as GIRL SCOUT WEEK in the Town of Clarkstown and thus do urge the citizens of Clarkstown to support in every way the activities and endeavors of Girl Scouts.

IN WITNESS WHEREOF I HEREUNTO SET
MY HAND AND CAUSE THE SEAL OF THE
TOWN OF CLARKSTOWN TO BE AFFIXED
THIS 12TH DAY OF MARCH, 1991.

Supervisor Holbrook asked Councilman Mandia to present the proclamation to the Girl Scouts on behalf of the Town Board. Councilman Mandia is a member of the Board of Directors of the Rockland County Girl Scouts. Supervisor Holbrook thanked the Girl Scouts for coming.

Supervisor opened the public portion of the meeting.

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

Mr. Lodico spoke regarding a curve on Red Hill Road. He also spoke regarding the wood sculpture on the front of Town Hall.

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Appearance: Cory Fishkin
Congers, New York

Spoke regarding Item #18 - regarding the impact of the amendment to the Zoning Ordinance.

Appearance: Bob Caggieno
Highway Department

Spoke regarding MEO I's of the Highway Department and laborers. Unfair appointment of MEO II's in the Landfill. Supervisor pointed out that they were only temporary appointments and said it would not preclude others from advancement in the future.

Appearance: Frank Golden
Clarkstown Highway Department

Spoke re: MEO II's from landfill. He said that he worked for the Highway Department for five years and asked how he would go about getting ahead?

Appearance: George Zuckerman
Orangeburg, New York

He spoke regarding the proposed voluntary tenants agreement for proposed rents for 1991, 1992 and 1993. and his opposition to same

Appearance: Milton Levy
Normandy Village, Nanuet

He spoke regarding the proposed voluntary tenants agreement for proposed rents for 1991, 1992 and 1992 and his opposition to same

Appearance: Martin Bernstein
New City, New York

He spoke regarding the proposed voluntary tenants agreement for proposed rents. He requested that the Board provide the same kind of benefits to senior citizens who rent property as to senior citizens who own property.

Appearance: Sid Schulson

Spoke on historical site at Pascack Road & Sulky Lane, Spring Valley. He said he was not notified of the Town Board Meeting until 7:30 PM and the meeting started at 8:00 PM and said that he felt that was not enough time .

Appearance: Ed Graybow
27 Oriel Road
New City, New York

Spoke regarding the trailer on King Arthur Court noting that the trailer is in bad condition.

Appearance: Leonard Levy
Buckingham Apts.
Nanuet, New York

Spoke regarding rent increases. He was able to fix up his apartments because of the increases. He thanked the Town Board.

RESOLUTION NO. (151-1991)

PROPOSED VOLUNTARY TENANTS
AGREEMENT REGARDING RENTS
FOR 1991, 1992, 1993

Continued on Next Page

RESOLUTION NO. (151-1991) Continued

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board, upon a receipt of a letter from Ross Pepe of the Rockland County Apartment Owners Association, Inc., acquiesces to the proposed increase for rents for the years 1991, 1992, and 1993 as follows:

1991	-	5%
1992	-	5%
1993	-	5%

and be it

FURTHER RESOLVED, that anyone over 65 years of age, living there for five (5) years, shall have a two (2) year lease at 5%, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to January 1, 1991.

Seconded by Co. Smith

Co. Kunis asked if the landlords would be able to put a ceiling on security given to them by the tenants, 60 years or over. It is really no out-of-pocket expenses to the landlord. Whatever little bit the seniors have to give in additional security when they do receive their annual rent increase hurts them. The landlord is not using this money. Councilman Kunis stated that he thought the seniors have a proven record over the past years that when they do move, the apartments are left in very good condition. He said that it would be beneficial to them if they had that money in their pockets. Supervisor Holbrook stated that he thought that they could take a look at that, but said let's just vote on the resolution that we have. Councilman Maloney suggested that the Town Attorney take a look into the question of escrow.

Councilman Maloney stated that the whole point was that those paying \$800.00 now, in three years would be paying \$926.00. It would be \$800.00, then \$840.00, then \$882.00 and \$926.00. He said that it was a big hunk of change for someone who is 65 and older. He felt that the 5% was something we could live with, but those over 65 and who have been there for five years indicating that they are not just in and out, he would vote for the resolution as amended.

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. (152-1991)

DIRECTING REMOVAL OF
CONSTRUCTION TRAILERS AT
CAMELOT SUBDIVISION

Co. Mandia offered the following resolution:

BE IT RESOLVED that the Building Inspector, in conjunction with the Highway Superintendent, immediately take whatever steps are necessary to remove the construction trailers from property located near Long Meadow Drive and Tamarac Avenue in New City and King Arthurs Court in New City, more commonly known as Camelot sub-division, and be it.

Continued on Next Page

RESOLUTION NO. (152-1991) Continued

FURTHER RESOLVED that these trailers be moved at the earliest possible time after the passage of this resolution.

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. (153-1991)

AUTHORIZING TOWN ATTORNEY
TO INSTITUTE CHAPTER 31
PROCEEDING MAP 141, BLOCK
B, LOT 7 (REIMER)

Co. Smith offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises reputedly owned by Helen Reimer in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as MAP 141, BLOCK B, LOT 7, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 26th day of March, 1991 at 8:10 P.M., providing service of Notice Pursuant to Town Code, Chapter 31 is made on or before the 19th day of March, 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. (154-1991)

GRANTING PERMISSION FOR
DISPENSING ALCOHOLIC
BEVERAGES ON PUBLIC
PROPERTY IN THE TOWN OF
CLARKSTOWN - (22-2A)

Co. Smith offered the following resolution:

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown.

NOW, THEREFORE, be it

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RESOLUTION NO. (154-1991) Continued

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Section 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show Cast Party
April 27, 1991
Congers Community Center
Gilchrest Road
Congers, NY

and

Annual Senior Citizen Picnic
June 6, 1991 (Raindate: June 7th)
Congers Lake Memorial Park
Gilchrest Road
Congers, NY

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. (155-1991)

AUTHORIZING INSTALLATION OF
FIRE HYDRANTS AT SOUTH SIDE
OF ALICE DRIVE AND
MIDDLETOWN ROAD, NANUET

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install fire hydrants at the following location(s):

South side of Alice Drive approximately
1,700 feet west of the center line of
Middletown Road, Nanuet

Investigation No.: 10694

and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Tricia Betz, Service Investigation Clerk.

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. (156-1991)

AUTHORIZATION OF REDUCTION
IN OWNER'S PERFORMANCE BOND
(MARIANNE HILL SUBDIVISION)

Co. Smith offered the following resolution:

WHEREAS, Diversified Recovery Corp. furnished to the Town of Clarkstown an Irrevocable Letter of Credit covering the improvements and other facilities as shown on the Final Plat of MARIANNE HILL SUBDIVISION filed in the Rockland County Clerk's Office on June 29, 1989, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that said Letter of Credit be returned and replaced with an amended Letter of Credit in the amount of \$31,000 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that Diversified Recovery Corp. may replace the aforementioned Letter of Credit with an amended Letter of Credit in the sum of \$31,000, which shall be automatically renewable and in a form approved by the Town Attorney.

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. (157-1991)

AUTHORIZATION OF REDUCTION
IN OWNER'S PERFORMANCE BOND
(CROPSEY ESTATES)

Co. Maloney offered the following resolution:

WHEREAS, Eric Bergstol furnished to the Town of Clarkstown an Irrevocable Letter of Credit covering the improvements and other facilities as shown on the Final Plat of CROPSEY ESTATES filed in the Rockland County Clerk's Office on May 4, 1990, and

WHEREAS, the Department of Environmental Control of the Town of Clarkstown has recommended that said Letter of Credit be returned and replaced with an amended Letter of Credit in the amount of \$110,000 as much of the work has been completed to Town specifications;

NOW, THEREFORE, be it

RESOLVED, that ERIC BERGSTOL may replace the aforementioned Letter of Credit with an amended Letter of Credit in the sum of \$110,000, which shall be automatically renewable and in a form satisfactory to the Town Attorney.

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. (158-1991)

REFERRING PETITION FOR
LANDFILL OPERATION TO
ROCKLAND COUNTY PLANNING
BOARD AND TOWN OF
CLARKSTOWN PLANNING BOARD
(GUSSACK REALTY COMPANY)
AND SETTING PUBLIC HEARING
RE: SAME

Co. Maloney offered the following resolution:

WHEREAS, GUSSACK REALTY COMPANY has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation pursuant to the provisions of Section 106-10A, Table of General Use Regulations for an M District, Column 3, Section B, Paragraph 2 of the Zoning Ordinance of the Town of Clarkstown, and Sections 106-16L, 106-14B and 106-12A, F, G and H, of the Zoning Ordinance of the Town of Clarkstown, for property located south of New York State Route 59 and High Street, and north of the Spring Valley Water Company property, West Nyack, New York, and designated on the Clarkstown Tax Map as Map 89, Block A, Lots 18, 21, 24, 25 and 26;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 23rd day of April, 1991 at 8:20 P.M. to consider the application of GUSSACK REALTY COMPANY, relative to said Special Permit, and be it

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

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

FURTHER RESOLVED, that the petition 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 pursuant to Sections 239-1 and 239-m of the General Municipal Law for report, and the following agencies for comment or study and report on or before April 16, 1991:

1. Clarkstown Department of Environmental Control
2. Clarkstown Building Inspector
3. Clarkstown Shade Tree Commission
4. NYS Department of Environmental Conservation
5. Rockland County Soil Conservation
6. Rockland County Health Department
7. Rockland County Drainage Agency

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. (159-1991)

REFERRING PETITION FOR
CHANGE OF ZONE FROM R-15 TO
MF-2 TO CLARKSTOWN PLANNING
BOARD AND ROCKLAND COUNTY
COMMISSIONER OF PLANNING
(GOODMAN)

Co. Smith offered the following resolution:

WHEREAS, JOHN T. GOODMAN, WILLIAM J. GOODMAN, ALEXANDER A. GOODMAN and ROBERT J. GOODMAN, has 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 MF-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 141, Block B, Lots 24, 24.1 and 24.2;

NOW, THEREFORE, be it

RESOLVED, that the petition 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

Councilman Mandia asked where this piece of proptety was located? Supervisor Holbrook said that it was in Congers off Lakewood Drive.

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. (160-1991)

REFERRING PETITION FOR
CHANGE OF ZONE - R-15 TO
MF-3 TO THE CLARKSTOWN
PLANNING BOARD AND THE
ROCKLAND COUNTY
COMMISSIONER OF PLANNING
(ROBERT ROY CHAMPEAU)

Co. Maloney offered the following resolution:

WHEREAS, ROBERT ROY CHAMPEAU has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an R-15 District to an MF-3 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 57, Block M, Lots 2, 3 and 4;

NOW, THEREFORE, be it

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RESOLUTION NO. (160-1991) Continued

RESOLVED, that the petition 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. 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. (161-1991)

SETTING PUBLIC HEARING FOR
ZONE CHANGE - R-22 TO MF-3
(CFP DEVELOPMENT CORP.)

Co. Maloney offered the following resolution:

WHEREAS, CFP DEVELOPMENT CORP has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner, from an R-22 District to an MF-3 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 35, Block A, Lots 23, 23.05 and 23.06;

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 April, 1991, at 8:15 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:

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

RESOLUTION NO. (162-1991)

SETTING PUBLIC HEARING
REGARDING ZONE CHANGE
PETITION FROM R-15 DISTRICT
TO AN RG-2 DISTRICT - MAP
165, BLOCK A, LOT 3.55
(ISER/GRAF)

Co. Maloney offered the following resolution:

WHEREAS, STEPHEN ISER and AXEL GRAF 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 RG-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 165, Block A, Lot 3.55;

NOW, THEREFORE, be it,

RESOLVED, that a public hearing pursuant to Section 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 April, 1991, at 8:10 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:

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

RESOLUTION NO. (163-1991)

AUTHORIZING ATTENDANCE AT
ANNUAL SPRING CONFERENCE
(DIRECTOR OF PURCHASING) -
CHARGE TO ACCOUNT NO. A
1010-414

Co. Smith offered the following resolution:

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the Annual Spring Conference of the New York State Association of Municipal Purchasing Officials at Saratoga Springs, New York May 7-10, 1991, and be it

FURTHER RESOLVED, that all reasonable and appropriate expenses shall be charged to Account A1010-414

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 (164-1991)

AUTHORIZING ATTENDANCE AT
BASIC DOUBLE ENTRY
ACCOUNTING COURSE (MARY DE
FOREST AND PENNI SCACCIO) -
CHARGE TO A 1010-414

Co. Smith offered the following resolution:

WHEREAS, the GFOA is sponsoring a course on Basic
Double Entry Accounting on April 2-4 and April 9-11 (6 days) in the
Village of New Hyde Park,

NOW THEREFORE, be it

RESOLVED, that Mary DeForest and Penni Scaccio,
Comptroller's Office, attend the course, and be it

FURTHER RESOLVED, that all proper charges be charged to
Appropriation Account NO. A 1010-414.

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. (165-1991)

AUTHORIZING ATTENDANCE AT
NORTH AMERICAN SNOW
CONFERENCE (MAURO AND
BURGIO) - CHARGE TO A
1010-414

Co. Smith offered the following resolution:

RESOLVED, that John Mauro, Superintendent of Highways,
and Charles Burgio, HMS III, are hereby authorized to attend the
1991 North American Snow Conference, to be held April 14 - 17, 1991,
in Montreal, Quebec, and be it

FURTHER RESOLVED, that all necessary expenses be
allocated against appropriation account No. A-1010-414.

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. (166-1991)

AWARDING OF BID FOR BID
#13-1991 - FIRST AID
SUPPLIES (GARDNER SURGICAL
SUPPLY, NATIONAL HEALTH
SUPPLY CORPORATION, MICRO
BIOMEDICS, PARK SURGICAL
SUPPLY AND ROCKLAND FIRE
EQUIPMENT)

Co. Maloney offered the following resolution:

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RESOLUTION NO. (166-1991) Continued

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

BID #13-1991
FIRST AID SUPPLIES

is hereby awarded to

GARDNER SURGICAL SUPPLY
382 BROADWAY
BROOKLYN, N.Y. 11211
PRINCIPAL: FANNIE GARDNER
JUDITY SILVERSTEIN
ROBERT SILVERSTEIN

NATIONAL HEALTH SUPPLY CORP.
2 SOUTH STREET
POST OFFICE BOX 737
GARDEN CITY, N.Y. 11530-0737
PRINCIPAL: STANLEY SAFT

MICRO BIOMEDICS
717 SOUTH THIRD AVENUE
MT. VERNON, N.Y. 10550
PRINCIPAL: ERNEST W. NELSON

PARK SURGICAL SUPPLY
5001 NEW UTRECHT AVENUE
BROOKLYN, N. Y. 11219
PRINCIPAL: DANIEL DUKE
MIRIAM DUKE

ROCKLAND FIRE EQUIPMENT
76 SOUTH FRANKLIN STREET
NYACK, N. Y. 10960
PRINCIPAL: HAROLD R. HILL

as per attached price schedule.

(Price schedule on file in Town Clerk's Office.)

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. (167-1991)

AWARDING OF BID FOR BID
#17-1991 - RECYCLING BOXES
(BUCKHORAN, INC.)

Co. Maloney offered the following resolution:

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

BID #17-1991
RECYCLING BOXES

is hereby awarded to

BUCKHORN INC.
55 W. TECHNECENTER DRIVE
MILFORD, OH 45150
A division of Myers Industries a Public Corporation

as per their low bid proposal of \$3.43 per box.

Seconded by Co. Smith

On roll call the vote was as follows:

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RESOLUTION NO. (167-1991) Continued

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

RESOLUTION NO. (168-1991)

AWARDING OF BID FOR BID
#23-1991 - SALE OF SURPLUS
OFFICE FURNITURE/EQUIPMENT
(BROOKS AND DILFINI)

Co. Maloney offered the following resolution:

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

BID #23-1991
SALE OF SURPLUS OFFICE FURNITURE/EQUIPMENT

is hereby awarded to the following bidders

MARJORIE BROOKS
88 MONTEREY GARDENS
BARDONIA, NY 10954

for item #56 - IBM Typewriter @ \$10.00

SHARON DILFINI
16 N. HARRISON AVE.
CONGERS, NY 10920

FOR ITEMS #17, 18, 19, 20, 21, 22 - Wooden Chairs @ \$10.00 EACH

and be it

FURTHER RESOLVED, that the Clarkstown Highway
Department is hereby directed to dispose of the balance of the
surplus equipment remaining per listing in bid specs.

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 (169-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO READVERTISE
FOR BIDS FOR BID #12A-1991
- MECHANICS COVERALL RENTAL
SERVICE

Co. Maloney offered the following resolution:

RESOLVED, that

BID #12-1991
MECHANICS COVERALL RENTAL SERVICE is hereby cancelled

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

RESOLUTION NO. (169-1991) Continued

BID #12A-1991
MECHANICS COVERALL RENTAL SERVICE

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, April 3, 1991, 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. (170-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #24-1991 -
REFUSE PICK-UP SERVICE -
TOWN FACILITIES

Co. Maloney offered the following resolution:

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

BID #24-1991
REFUSE PICK-UP SERVICE - TOWN FACILITIES

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, April 1, 1991, 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. (171-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #25-1991 -
SECURITY GUARD SERVICE -
TOWN FACILITIES

Co. Maloney offered the following resolution

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

Continued on Next Page

RESOLUTION NO. (171-1991) Continued

BID #25-1991
SECURITY GUARD SERVICE - TOWN FACILITIES

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, April 1, 1991, 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. (172-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #26-1991 -
FOOD COMMODITIES FOR TOWN
REFRESHMENT STANDS

Co. Maloney offered the following resolution:

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

BID #26-1991
FOOD COMMODITIES FOR TOWN REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 (A.M.) on: Thursday, April 11, 1991, 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. (173-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #27-1991 - ICE
CREAM FOR TOWN REFRESHMENT
STANDS

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (173-1991) Continued

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

BID #27-1991
ICE CREAM FOR TOWN REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:30 (A.M.) on: Thursday, April 11, 1991, 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. (174-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #28-1991 (SOFT DRINKS FOR TOWN REFRESHMENT STANDS)

Co. Maloney offered the following resolution:

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

BID #28-1991
SOFT DRINKS FOR TOWN REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:30 (A.M.) on: Thursday, April 11, 1991, 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. (175-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #29-1991 - FACSIMILE MACHINES

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (175-1991) Continued

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

BID #29-1991
FACSIMILE 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, APRIL 10, 1991 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. (176-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #30-1991 - OFFICE FURNITURE AND EQUIPMENT

Co. Maloney offered the following resolution:

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

BID #30-1991
OFFICE FURNITURE/EQUIPMENT

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, APRIL 15, 1991 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. (177-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #31-1991 - SWIMMING POOL LANE MARKERS AND REEL

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (177-1991) Continued

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

BID #31-1991
SWIMMING POOL LANE MARKERS & REEL

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, APRIL 8, 1991 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. 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. (178-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #32-1991 -
FIVE (5) FOUR WHEEL DRIVE
DUMP TRUCKS FOR HIGHWAY
DEPARTMENT

Co. Maloney offered the following resolution:

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

BID 32-1991
FIVE (5) FOUR WHEEL DRIVE DUMP TRUCKS
FOR THE HIGHWAY DEPARTMENT

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, APRIL 22, 1991 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. (179-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #33-1991 -
AERIAL LIFT TRUCK WITH
FORESTRY BODY FOR HIGHWAY
DEPARTMENT

Continued on Next Page

RESOLUTION NO. (179-1991) Continued

Co. Maloney offered the following resolution:

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

BID #33-1991
AERIAL LIFT TRUCK WITH FORESTRY BODY
FOR THE HIGHWAY DEPARTMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York at 11:00 (A.M.) ON: WEDNESDAY, APRIL 24, 1991 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. (180-1991)

DESIGNATING HISTORICAL SITE
- HOUSE AT PASCACK ROAD AND
SULKY LANE, SPRING VALLEY,
NEW YORK

Co. Maloney offered the following resolution:

WHEREAS, it has been proposed that the house located at Pascack Road and Sulky Lane, Spring Valley, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 5, Block B, Lot 6.14, be designated as an Historical Site pursuant to Chapter 12-3(C) of the Town Code of the Town of Clarkstown, and

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

NOW, THEREFORE, be it

RESOLVED, that the aforementioned house located at Pascack Road and Sulky Lane, Spring Valley, New York, be and the same hereby is designated as an historical site, and be it

FURTHER RESOLVED, that said historical site be so indicated on the Official Map of the Town of Clarkstown.

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. (181-1991)

AMENDING ZONING ORDINANCE
OF THE TOWN OF CLARKSTOWN -
SECTION 106-10A - GENERAL
USE REGULATIONS, RS
DISTRICT, TABLE 12, COLUMN
6, ITEM 18 - STORAGE AND
WAREHOUSE PARKING

Co. Maloney offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 25th day of September, 1990, provided for a public hearing on the 27th day of November, 1990, at 8:05 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

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

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment Form pursuant to SEQRA, from our consultant Robert Geneslaw, which the Board has discussed and considered such report in making their decision herein;

NOW THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated January 7, 1991, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Amendment to the Zoning Ordinance 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 Zoning Ordinance of the Town of Clarkstown be it and hereby is amended as follows:

AMEND Sec. 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."

and be it

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

Seconded by Co. Kunis

On roll call the vote was as follows:

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

RESOLUTION NO. (182-1991)

AUTHORIZING TOWN ATTORNEY
TO RETAIN KARL KIRCHNER TO
PREPARE APPRAISAL FOR
PROPERTY LOCATED END OF
NORTH FAIRVIEW AVENUE,
NANUET

Co. Smith offered the following resolution:

RESOLVED, that the Town Attorney is hereby directed to retain Karl Kirchner, Real Estate Appraiser, to appraise Town property located at the end of North Fairview Avenue, Nanuet, New York.

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. (183-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO PAVE PORTION
OF EAST EVERGREEN STREET,
NEW CITY

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to pave the Town portion of East Evergreen Street, 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. (184-1991)

ACCEPTING PROPOSALS FOR
STREET LIGHTS FROM ORANGE &
ROCKLAND UTILITIES
(CHARLES-MICHAEL
SUBDIVISION)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of K. Luke Kalarickal, Deputy Director of the Department of Environmental Control, the proposal from Orange and Rockland Utilities for a 5,800 sodium vapor streetlight, to be located at the Charles-Michael Subdivision, is hereby accepted.

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. (185-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING AT ANYTIME" SIGNS
EASTSIDE HIGHVIEW AVENUE

Co. Smith offered the following resolution:

RESOLVED, that Resolution No. 1044-1990, adopted on the
27th day of November, 1990, shall be amended to read as follows:

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

"No Parking At Anytime" signs with directional
arrows on the eastside of Highview Avenue from Church
Street south to Roberts Place, Nanuet, New York.

and be it

FURTHER RESOLVES, that the Town Clerk be directed to
forward copies of this resolution to John Mauro, Superintendent of
Highways, for implementation.

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. (186-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO CHANGE AND
INSTALL FLASHING SIGNAL
(OLD MILL ROAD TO CRUSHER
ROAD AND SNAKE HILL ROAD)

Co. Smith offered the following resolution:

RESOLVED, that based upon the recommendation of the
Traffic and Traffic Fire Safety Advisory Board, the Superintendent
of Highways is hereby authorized, when the tunnel between Old Mill
Road and Crusher Road, West Nyack, is closed off, to change and
install the following:

"Move the flashing signal located on Old Mill Road to
Crusher Road and Snake Hill Road. The amber lantern
should face Snake Hill Road and the flashing red
lantern should face Crusher Road. The Stop Sign should
then be removed when the flashing signal is in place.
Also eliminate the flashing signal on the southside of
the tunnel at Crusher Road."

and be it

FURTHER RESOLVED, that the Town Clerk be directed to
forward copies of this resolution to John Mauro, Superintendent of
Highways, for implementation.

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. (187-1991)

AUTHORIZING DIRECTOR OF THE
DEPARTMENT OF ENVIRONMENTAL
CONTROL TO HAVE PERFORMED
EMERGENCY SANITARY SEWER
REPAIRS TO EXISTING
SANITARY SEWER IN DISTRICT
39E, BARDONIA, NEW YORK

Co. Maloney offered the following resolution:

WHEREAS, on March 11, 1991, the Department of Environmental Control Sanitary Sewer Maintenance Supervisor was notified by the Clarkstown Police Department of a washed out sanitary sewer in the vicinity of Oakwood Road, Bardonia; and

WHEREAS, upon investigating the report, it was found that an eight-inch (8") sanitary sewer and its surrounding embankment were washed out during a period of heavy rain; and

WHEREAS, to properly repair the sewer a new triple barrel forty-eight inch (48") culvert will have to be installed;

NOW, THEREFORE, be it

RESOLVED that the Director of the Department of Environmental Control is hereby authorized to hire Cal-Mart Construction Corp., Route 59, West Nyack, New York, to perform the necessary emergency corrective work required in accordance with the recommendations of the Department of Environmental Control.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (188-1991)

DECREASING APPROPRIATION
ACCOUNT A-7141-222 (PARK
AND RECREATION EQUIPMENT)
AND INCREASING ACCOUNT
A-7141-408 (BUILDING
REPAIRS AND IMPROVEMENTS)

Co. Maloney offered the following resolution:

RESOLVED, to decrease Appropriation Account A-7141-222 (Park and Recreation Equipment) by \$4,000.00 and to increase Appropriation Account A-7141-408 (Building Repairs and Improvements) by \$4,000.00.

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. (189-1991)

AUTHORIZING TOWN ATTORNEY
TO DEFEND AN ACTION AGAINST

Continued on Next Page

RESOLUTION NO. (189-1991) Continued

THE TOWN OF CLARKSTOWN
(HERBERT E. COCKS vs. TOWN
OF CLARKSTOWN)

Co. Maloney offered the following resolution:

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

HERBERT E. COCKS,

Plaintiff,

-against-

STEFAN FAMILY PROPERTY, INC.,
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. 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. (190-1991)

APPOINTING SPECIAL COUNSEL
(RICHARD A. GLICKEL) RE:
INJUNCTION AGAINST C & A
CARBONE AND OTHERS

Co. Kunis offered the following resolution:

RESOLVED, that RICHARD A. GLICKEL, Two Crossfield Avenue, West Nyack, New York 10994, is hereby appointed special counsel to the Town of Clarkstown for the purpose of seeking an injunction against C & A Carbone and/or any other persons to enjoin violations of the Zoning Ordinances and Solid Waste Transportation and Disposal Local Law and other sections of the Town Code. He shall be paid the sum of \$150.00 per hour.

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. (191-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
COMPLUS DATA INNOVATIONS,
INC.

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into an agreement with

RESOLUTION NO. (191-1991) Continued

Complus Data Innovations, Inc., to process all parking tickets, and be it

FURTHER RESOLVED, that said agreement shall be in a form acceptable to the Town Attorney.

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. (192-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO PLACE GRAVEL ON STONEWALL LANE, CONGERS (EMERGENCY REPAIRS)

Co. Maloney offered the following resolution:

RESOLVED, that the Clarkstown Highway Superintendent is hereby authorized to place gravel on Stonewall Lane, Congers as it is in need of emergency repairs

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. (193-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO REPLACE CURB AT 969 TILTON ROAD, VALLEY COTTAGE

Co. Maloney offered the following resolution:

RESOLVED, that the Clarkstown Highway Superintendent is hereby authorized to replace the curb at 969 Tilton Road, Valley Cottage, New York.

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. (194-1991)

AUTHORIZING SETTLEMENT OF TAX CERTIORARI (NEW YORK TELEPHONE COMPANY V. ASSESSOR)

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (194-1991) Continued

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled NEW YORK TELEPHONE COMPANY v. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index Nos. 6081/85, 5251/86, 5114/87, 3867/88, 4770/89 and 4733/90 affecting parcels designated on the tax map of the Town of Clarkstown as 9-C-1 through 9-C-8, 9-C-15 through 9-C-26, 57-J-3.1 and 140-B-31, and

WHEREAS, the attorneys for the petitioner have proposed to settle the proceedings and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 6 be reduced for the year 1991 to \$55,640; for the year 1992 to \$47,080; for the year 1993 to \$38,520.
2. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 7 be reduced for the year 1991 to \$87,620; for the year 1992 to \$74,140; for the year 1993 to \$60,660.
3. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 8 be reduced for the year 1991 to \$52,780; for the year 1992 to \$44,660; for the year 1993 to \$36,540.
4. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 15 be reduced for the year 1991 to \$92,945; for the year 1992 to \$78,646; for the year 1993 to \$64,347.
5. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 16 be reduced for the year 1991 to \$185,890; for the year 1992 to \$157,292; for the year 1993 to \$128,693.
6. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 17 be reduced for the year 1991 to \$325,307; for the year 1992 to \$275,260; for the year 1993 to \$225,212.
7. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 18 be reduced for the year 1991 to \$1,719,479; for the year 1992 to \$1,454,944; for the year 1993 to \$1,190,408.
8. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 21 be reduced for the year 1991 to \$92,945; for the year 1992 to \$78,646; for the year 1993 to \$64,347.
9. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 22 be reduced for the year 1991 to \$557,669; for the year 1992 to \$471,874; for the year 1993 to \$386,078.
10. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 23 be reduced for the year 1991 to \$46,473; for the year 1992 to \$39,324; for the year 1993 to \$32,173.
11. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lots 24 and 25 be reduced for the year 1991 to \$743,559; for the year 1992 to \$629,166; for the year 1993 to \$514,771.

Continued on Next Page

RESOLUTION NO. (194-1991) Continued

12. That the premises owned by the petitioner described on the assessment roll of the Town of Clarkstown as Map 9, Block C, Lot 26 be reduced for the year 1991 to \$139,417; for the year 1992 to \$117,968; for the year 1993 to \$92,520.

13. That the following proceedings commenced by the petitioner be discontinued:

Index Nos. 6081/85 and 5251/86 for the assessment year 1991; Index Nos. 5114/87 and 3867/88 for the assessment year 1992; and Index Nos. 4770/89 and 4733/90 for the assessment year 1993.

14. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

WHEREAS, it appears to be in the best interest of the Town to settle such matter upon the terms and conditions aforesaid, and such settlement is recommended by the Assessor of the Town of Clarkstown.

NOW, THEREFORE, be it

RESOLVED, that the settlement of the aforesaid action is authorized upon the terms and conditions herein stated; and the Town Attorney is authorized to sign all documents necessary to effectuate such settlement.

Seconded by Co. Smith

Murray Jacobson said that the Telephone Company started certiorari actions in 1985, 1986, 1987, 1988, 1989 and 1990. He said that it has been settled and the telephone company will get decreases on the taxes for the years 1991, 1992 and 1993.

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. (195-1991)

AUTHORIZING TOWN ATTORNEY
TO APPEAL DECISION OF
SUPREME COURT (CARBONE)

Co. Kunis offered the following resolution:

WHEREAS, the Supreme Court of Rockland County has rendered a decision in the matter of C & A CARBONE, INC. against the TOWN OF CLARKSTOWN, and

WHEREAS, it is deemed appropriate that the decision be appealed;

NOW, THEREFORE, be it

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

Seconded by Co. Malony

Continued on Next Page

RESOLUTION NO. (195-1991) 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. (196-1991)

APPOINTING TO POSITION OF
AUTOMOTIVE MECHANIC I -
HIGHWAY DEPARTMENT - (PAUL
LINDERMAN)

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Superintendent of Highways of Paul Linderman, 120 Spring Street, Apt. B, Monroe, New York, to the position of Automotive Mechanic I - Highway Department - at the current 1991 annual salary of \$24, 942.00, effective and retroactive to March 4, 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. (197-1991)

APPOINTING TO POSITION OF
PROVISIONAL CLERK TYPIST -
HIGHWAY DEPARTMENT (DONNA
BUTSON)

Co. Smith offered the following resolution:

RESOLVED, that Donna Butson, 59 Burda Avenue, New City, New York, is hereby appointed to the position of (provisional) Clerk Typist - Highway Department - at the current 1991 annual salary of \$25,489.00, effective and retroactive to March 11, 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. (198-1991)

GRANTING SICK LEAVE OF
ABSENCE AT ONE-HALF PAY TO
MOTOR EQUIPMENT OPERATOR I
- HIGHWAY DEPARTMENT (JOHN
KELLY)

Co. Smith offered the following resolution:

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RESOLUTION NO. (198-1991) Continued

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., John Kelly, 47 Hall Avenue, New City, New York - Motor Equipment Operator I - Highway Department - is hereby granted a Sick Leave of Absence - at one-half pay - effective and retroactive to March 1, 1991 to April 1, 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. (199-1991)

APPOINTING TO POSITION OF
AUTOMOTIVE MECHANIC I -
TOWN GARAGE (JOHN ANGELIS)

Co. Smith offered the following resolution:

RESOLVED, that John Angelis, 800 Brookridge Drive, Valley Cottage, New York is hereby appointed to the position of Automotive Mechanic I - Town Garage - at the current 1991 annual salary of \$24,942.00, effective and retroactive to March 11, 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. (200-1991)

APPOINTING TO POSITION OF
OFFICE WORKER STUDENT -
TOWN JUSTICE DEPARTMENT
(LORI DuPONT)

Co. Smith offered the following resolution:

RESOLVED, that Lori DuPont, 96 New Valley Road, New City, New York, is hereby appointed to the position of Office Worker Student - Town Justice Department - at the hourly rate of \$4.50 effective and retroactive to March 11, 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. (201-1991)

REAPPOINTING TO POSITION OF
MEMBER OF BOARD OF ETHICS
(MONSIGNOR JOHN J. GILLEN)

Co. Smith offered the following resolution:

RESOLVED, that Monsignor John J. Gillen, 140 Maple Avenue, New City, New York, is hereby reappointed to the position of Member - Board of Ethics - to serve without compensation - term effective March 12, 1991 and to expire on March 11, 1995.

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. (202-1991)

CREATING POSITION OF CHIEF
FIRE SAFETY INSPECTOR -
BUILDING DEPARTMENT

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 10, 1990 that the position of Chief Fire Safety Inspector - Building Department - can be created,

NOW, therefore, be it

RESOLVED, that the position of Chief Fire Safety Inspector - Building Department - is hereby created - effective and retroactive to March 11, 1991, and be it

FURTHER RESOLVED, that the grade for the position of Chief Fire Safety Inspector is hereby established at a grade 30.

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. (203-1991)

APPOINTING TO POSITION OF
CHIEF FIRE SAFETY INSPECTOR
- BUILDING DEPARTMENT (MARK
PAPENMEYER)

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #89259 Chief Fire Safety Inspector which contains the name of Mark Papenmeyer,

NOW, THEREFORE, be it

RESOLVED, that Mark Papenmeyer, 221 Strawtown Road, West Nyack, New York, is hereby appointed to the position of Chief

Continued on Next Page

RESOLUTION NO. (203-1991) Continued

Fire Safety Inspector - Building Department - at the current 1991 annual salary of \$44,979., effective and retroactive to March 11, 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. (204-1991)

RECLASSIFYING POSITION OF
CODE INSPECTOR (ENCUMBERED
BY IRENE SACCEDE) TO
POSITION OF CODE
ENFORCEMENT OFFICER -
BUILDING DEPARTMENT

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on December 10, 1990 that the position of Code Inspector (encumbered by Irene Saccende) can be reclassified to the position of Code Enforcement Officer.

NOW, THEREFORE, be it

RESOLVED, that the position of Code Inspector (encumbered by Irene Saccende) is hereby reclassified to the position of Code Enforcement officer - Building Department - effective and retroactive to March 11, 1991, and be it

FURTHER RESOLVED, that the grade for the position of Code Enforcement Officer is hereby established at a Grade 27.

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. (205-1991)

APPOINTING TO POSITION OF
CODE ENFORCEMENT OFFICER -
BUILDING DEPARTMENT (IRENE
SACCEDE)

Co. Smith offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished certification of Eligibles #89131 Code Enforcement Officer which contains the name of Irene M. Saccende,

NOW, THEREFORE, be it

RESOLVED, that Irene M. Saccende, 11 Windmill Lane, New City, New York, is hereby appointed to the position of Code

Continued on Next Page

RESOLUTION NO. (205-1991) Continued

Enforcement Officer - Building Department - at the current 1991 annual salary of \$34,658., effective and retroactive to March 11, 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. (206-1991)

ESTABLISHMENT OF GRADE
CHANGES - BUILDING
DEPARTMENT - EFFECTIVE AND
RETROACTIVE TO MARCH 11,
1991

Co. Smith offered the following resolution:

RESOLVED, that the following grade changes are hereby established - effective and retroactive to March 11, 1991.

Deputy Building Inspector Grade 27 to 33
Plumbing Inspector Grade 27 to 28
Asst. Fire Safety Inspectors Grade 24 to 26
Asst. Building Inspectors Grade 24 to 27
Code Inspector Grade 23 to 24
Building Plans Examiner Grade 27 to 29

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. (207-1991)

APPOINTING TO POSITION OF
(PROVISIONAL) BUILDING
PLANS EXAMINER - BUILDING
DEPARTMENT (DAVID MCLEOD)

Co. Smith offered the following resolution:

RESOLVED, that David McLeod, 42 Second Avenue, Nyack, New York, is hereby appointed to the position of (provisional) Building Plans Examiner - Building Department - at the current 1991 annual salary of \$38,685., effective and retroactive to March 11, 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. (208-1991)

APPOINTING TO POSITION OF
(PROVISIONAL) FIRE SAFETY
INSPECTOR - BUILDING
DEPARTMENT (WILLIAM BOWLER)

Co. Smith offered the following resolution:

RESOLVED, that William Bowler, 13 Pigeon Hill Road, Nanuet, New York, is hereby appointed to the position of (provisional) Fire Safety Inspector - Building Department - at the current 1991 annual salary of \$38,685., effective and retroactive to March 11, 1991.

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. (209-1991)

APPOINTING TO POSITION OF
OFFICE WORKER STUDENT -
COMPTROLLER'S OFFICE (DONNA
C. VIERLING)

Co. Smith offered the following resolution:

RESOLVED, that Donna C. Vierling, 10 Ambery Lane, Thiells, New York, is hereby appointed to the position of Office Worker Student - Comptroller's Office - at the current hourly rate of \$5.50 - effective March 13, 1991.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (210-1991)

REFERRING AMENDMENT TO
ZONING ORDINANCE (DELETION
OF REFERENCE TO RECYCLING
FACILITY) -TO CLARKSTOWN
PLANNING BOARD AND ROCKLAND
COUNTY COMMISSIONER OF
PLANNING AND SETTING PUBLIC
HEARING RE: SAME

Co. Kunis 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

Continued on Next Page

RESOLUTION NO. (210-1991) Continued

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, and be it

FURTHER RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of April, 1991 at 8:00 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-3(B) Defined words:

"Delete definition of Recycling Facility"

Amend Section 106-16(R)(1)(2)(3)(4). Recycling facilities and transfer stations are subject to the following conditions:

"Delete all references to recycling facility"

Amend Table 14 of the General Use Regulations, L10 District, Column 3-B as follows:

"3-(B)(6) Delete all references to recycling facility"

Amend Table 15 of the General Use Regulations, M District, Column 3-B as follows:

"3-B(9) Delete all references to recycling facility"

and be it

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

FURTHER RESOLVED, for the purpose 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. Smith

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Public Hearing re: Amendment to Chapter 15 - Notification of Defects, was opened, time: 9:27 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Public Hearing re: Amendment to Chapter 15 - Notification of Defects, was closed, RESOLUTION ADOPTED, time: 9:27 P.M.

RESOLUTION NO. (211-1991)

ADOPTING OF LOCAL LAW NO. 1
- 1991 - AMENDMENT TO
CHAPTER 15 - NOTIFICATION
OF DEFECTS

Co. Smith offered the following resolution

RESOLUTION NO. (211- 1991) Continued

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 15 (NOTIFICATION OF DEFECTS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 12, 1991, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 12, 1991, directed that a public hearing be held on March 12, 1991, at 8:05 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on February 26, 1991, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 30, 1991, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 12, 1991;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1-1991, entitled:

"AMENDMENT TO CHAPTER 15 (NOTIFICATION OF DEFECTS) OF THE CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Seconded by Co Maloney

- Charles E. Holbrook, Supervisor...Yes
- Steven C. Kunis, Councilman.....Yes
- John R. Maloney, Councilman.....Yes
- Ralph F. Mandia, Councilman.....Yes
- Ann M. Smith, Councilwoman.....Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 27 of the Municipal Home Rule Law.

Supervisor Holbrook stated that our Bicentennial was coming up on March the 18th. This is the last official Town Board meeting prior to the actual date of the birthday of the Town which takes place next Monday. He stated that he felt that the Town's surviving for 200 years was cause for celebration. He also noted that if there were people considering attending the Bicentennial Ball to be held on Saturday night there were still some tickets available.

Supervisor Holbrook noted that with regard to the incidents which occurred concerning C & A Carbone, the Town has decided that we will not be sending any more recyclables to their facility as of tomorrow morning (March 13, 1991). We will be taking our recyclables elsewhere. Hopefully, we will be able to resolve this situation but as of tomorrow no more recyclables to that particular facility. There will be no interruption of our recycling program. It will be expanded on Monday to include magazines, junk mail and catalogs. On June 1st it will include plastics and all

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glass. Basically, there won't be too much left in the garbage can after that.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the Town Board Meeting was declared closed, time: 9:33 P.M.

Respectfully submitted,

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

37

Town Hall

3/12/91

9:27 P.M.

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

Re: Amending Chapter 15 of the Town Code - Notification of Defects

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

Murray Jacobson stated that the basic purpose of this Local Law is that at present we have a written notice of defects for highways, sidewalks, bridges, and colvert. We are now extending it to other easements and other facilities of the Town, town buildings, etc. This is a method of limiting the liability of the Town for personal injuries and property damage to same through negligent defects. So, that they cannot bring an action unless there has been written notice of the defect prior thereto.

Supervisor Holbrook asked if there was any Town Board member who wished to make a comment or ask a question? No one did.

Supervisor asked if there was any member of the public present who wished to make a comment or ask a question? No one did.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time 9:30 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (211-1991) ADOPTED