

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/11/91

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 declared the public portion open.

Appearance: Mr. Anthony Frascone,
representing North Harrison Avenue residents

Mr. Frascone expressed concern over the Safety Clean situation in Congers.

Appearance: Ms. Jane Howat
North Harrison Avenue
Congers, New York 10920

Ms. Howat expressed her concern over the same issue.

Supervisor and Council Members stated they are in touch with the owner and the Health Department and assured the residents that something would be done in the near future. Council Members offered some suggestions that should alleviate the present situation.

Appearance: Ms. Lou Ann Magnatta

Ms. Magnatta expressed concern if this business stays in the area for any extended period of time. Supervisor said we have the legal recourse to say that they do not meet the requirements of our zoning ordinance.

Appearance: Ms. Lorraine DeFao

Ms. DeFao questioned who approved the second floor that was just put in the building? Supervisor said they took out a building permit from the Town to put on that floor.

Ms. Howat questioned where the big tanker trucks which come to the area are unloading?

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

Mr. Zuckerman spoke regarding the voluntary agreement entered into by the Town Board with the landlords in Clarkstown effective January 1, 1991.

Appearance: Ms. Frances Caponegro
Lakeland Avenue
Congers, New York

Ms. Caponegro spoke regarding the warehouse located behind her house and the constant noise. Supervisor said they would have the police come and shut them down when they are operating all through the night as this cannot be done. She urged the Town Board to revise the noise ordinance of Clarkstown for the protection of the taxpaying residents.

Supervisor noted that tonight there would be a public hearing on the recodification of the Town Code. The zoning part to that is in the process of being drafted which will deal specifically with the antiquated law which needs to be and will be revised.

Continued on Next Page

Appearance: Mr. Milton Levy
Normandy Village

Mr. Levy thanked the Town Board for passing a resolution that keeps their rent at 5% increase for two years. He stressed the importance of this to senior citizens.

Appearance: Mr. Scott Hazan
32 Lafayette Drive
New City, New York

Mr. Hansen spoke regarding Agenda Item #18 (Group Home to be located at 29 Seymour Drive, New City.) He was opposed to this group home.

Appearance: Mr. Bruce Broadley
West Nyack, New York

Mr. Broadley spoke regarding an application for zone change in north New City north of the New City Condominiums. This is a zone change to change currently residential zones to condominium zoning. He was opposed to this zone change.

Appearance: Daniel Cea
Congers, New York

Mr. Cea stated that a viable comprehensive Master Plan should be adopted and strictly enforced. He spoke about the Safety Clean property on North Harrison Avenue. He spoke about the Clarkstown Landfill investigation by the FBI.

Appearance: Mr. Michael Barr
30 Lafayette Drive
New City, New York 10956

Mr. Barr spoke in opposition to the proposed group home on Seymour Drive in New City.

Appearance: Ms. Ellen Gruffi
New City, New York

Ms. Gruffi spoke regarding Agenda Items 15 and 16 (Plotkin and Fasman zone changes) and stated she was in opposition thereto.

Appearance: Mr. Joseph Buro
34 Lafayette Drive
New City, New York

Mr. Buro spoke in opposition to the proposed group home on Seymour Drive in New City.

Appearance: Ms. Helen Kilgallen
New City, New York

Ms. Kilgallen spoke regarding Agenda Item #15 (zone change on Plotkin property.) She was opposed.

Appearance: Ms. Teddy Beatty
2 Seymour Drive
New City, New York

Ms. Beatty spoke in opposition to Agenda Item #18 - the group home proposed for Seymour Drive.

Appearance: Mr. Anthony D'Antoni
Congers, New York

Continued on Next Page

Mr. D'Antoni read a letter protesting the expenses incurred by the Town Superintendent of Highways, which letter is on file in the Town Clerk's Office.

Appearance: Mr. Joseph Pantano
New City, New York

Mr. Pantano spoke about the Master Plan. He also had comments about the Landfill.

Appearance: Mr. Norman Greenberg
New City, New York

Mr. Greenberg spoke in opposition to the group home proposed on Seymour Drive in New City.

Appearance: Mr. John Nawoschik
Arlene Court
New City, New York

Mr. Nawoschik spoke in opposition to Agenda Items 15 and 16 (Plotkin and Fasman zone changes.)

Appearance: Ms. Marie Broadley, President
Southern Clarkstown Civic Association
West Nyack, New York

Ms. Broadley spoke regarding the non-payment of property taxes by Pyramid Company of Rockland.

Appearance: Mr. Stuart Fenig
19 Seymour Drive
New City, New York

Mr. Fenig spoke in opposition to Agenda Item #18 which is the group home proposed for Seymour Drive.

Appearance: Ms. Jane Errico
Congers, New York

Ms. Errico requested an explanation of Agenda Item 29 which authorized Mr. William Beckman to provide statistical analysis regarding taxes. Supervisor explained.

Appearance: Mr. Howard Shapiro
Lafayette Drive
New City, New York

Mr. Shapiro spoke in opposition to Agenda Item 18 which is the group home proposed for Seymour Drive.

RESOLUTION NO. (652-1991)(FAILED)

DENYING PROPOSED AMENDMENT
TO ZONING ORDINANCE FROM
R-15 TO PO DISTRICT - MAP
36, BLOCK D, LOTS 1, 8 AND
9 (ELLEN V. PLOTKIN)

Supv. Holbrook offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 23rd day of January, 1990, provided for a public hearing on the 27th day of February 1990, at 8:10 P.M. to consider the application of Ellen V. Plotkin, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner described on the Clarkstown Tax Map as Map 36, Block D, Lots 1,8 and 9, from an R-15 District to a PO District, and

Continued on Next Page

RESOLUTION NO. (652-1991) Continued

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

NOW, THEREFORE, be it

RESOLVED, that for the reasons of public health, safety and welfare, the Town Board hereby DENIES the petition of Ellen V. Plotkin, for an Amendment to the Zoning Ordinance.

Seconded by Co. Mandia

Councilman Mandia said he had been to the property again. He has listened to what the County Planning Board and the Town Planning Boards said. He looked at the Special Permit Application and also looked at the Traffic Accident reports on Route 304. He said he is convinced at this point, and he has changed his mind on this matter, that this zone change should not be granted at this time until we solve that problem.

Councilman Kunis asked in order for this to carry how many votes are necessary? Town Attorney said an affirmative would need four votes. This would only need three votes to deny. Affirmative needs four votes because there is a disapproval by the County Planning Board. A motion to deny only needs three votes.

On roll call the vote was as follows:

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

Town Clerk noted this denial resolution fails.

Supervisor Holbrook asked if anyone wished to move an affirmative resolution with regard to this matter? No one moved such motion.

Mr. Tracy, attorney for the petitioner stated that in his legal opinion you do not require three votes to pass this. Councilman Maloney said he (Mr. Tracy) meant four votes.

Town Attorney Murray Jacobson said in his legal opinion the Rockland County Planning Board disapproved and you need four votes. Obviously, there are not four votes. Mr. Tracy said he would like to have a vote. Mr. Jacobson said there is no mover or seconder and therefore no resolution so there can't be a vote.

Supervisor said he would move to deny the Fasman resolution. He did not receive a second.

Councilman Mandia said the Fasman property, unlike the Plotkin property does not face Arlene Court. That being the case, pending further consideration, he was willing to make a motion to table the Fasman property issue.

RESOLUTION NO. (653-1991)

TABLING AGENDA ITEM NO. 16
(A AND B) RE: ZONE CHANGE
FROM R-15 TO PO DISTRICT -
MAP 36, BLOCK D, LOT 2
(DENNIS N. FASMAN)

Co. Mandia offered the following resolution:

Continued on Next Page

RESOLUTION NO. (653-1991) Continued

RESOLVED, that Agenda Items Nos. 16A and 16B regarding change from R-15 to PO District - Map 36, Block D, Lot 2 - DENNIS N. FASMAN is hereby tabled.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

Town Attorney was asked to give an explanation of what transpired with the foregoing resolutions. He did so. Supervisor said it could come up again but it was not his intention to do so. Councilman Maloney said but it could be brought up again.

RESOLUTION NO. (654-1991)

DENYING APPLICATION FOR
ESTABLISHMENT OF GROUP HOME
- 29 SEYMOUR DRIVE, NEW
CITY (CRYSTAL RUN VILLAGE)

Co. Kunis offered the following resolution:

WHEREAS, by notice dated August 15, 1991, Crystal Run Village, Inc. notified Charles E. Holbrook, Supervisor of the Town of Clarkstown, of its intention to establish an intermediate care facility pursuant to Section 41.34 of the Mental Hygiene Law for eight developmentally disabled adults, for premises located at 29 Seymour Drive, New City, New York, and

WHEREAS, the Town Board has given due consideration to the proposal for a intermediate care facility at 29 Seymour Drive, New City, with regard to its location, its proximity to other community facilities, and its likely impact to the nature and character of the area within the Town of Clarkstown where such proposed facility would be locate,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby objects to the establishment of a facility of the kind described by Crystal Run Village, Inc., because to establish such facility would result in such a concentration of community residential facilities for the mentally disabled in the municipality, in combination with other community residences and other facilities licensed by agencies of state government, that the nature and character of the area would be substantially altered, and be it

FURTHER RESOLVED, that the Town Board hereby requests the Commissioner of the Office of Mental Retardation and Developmental Disabilities, to personally conduct a hearing within fifteen days from the date hereof to consider the need for such facility in view of the determination made herein, and be it

FURTHER RESOLVED, that the Town Clerk shall forthwith serve a copy of this resolution to Commissioner Elin M. Howe, by mailing same to the Office of the Mental Retardation and Developmental Disabilities, 44 Holland Avenue, Albany, New York 12229, and be it

FURTHER RESOLVED, that the Town Clerk is further requested to serve a certified copy of this resolution to Crystal Run Village, Inc.

Continued on Next Page

RESOLUTION NO. (654-1991) Continued

Seconded by Co. Smith

Councilman Kunis thanked the residents for coming out. He said he wanted to deny it. He said based on the comments of the residents he would like to see if there is any way the Town Board can look into obtaining special counsel that specializes in fighting and working on cases involving over-saturation of group homes in an area. He said he would make that recommendation to the Town Board to help defend this action with the State.

Councilman Maloney said he would abstain. He said in 1974 the Town Board took the initiative of establishing group homes in the Town of Clarkstown, the first such town to allow them in by special permit, realizing that these people had rights just like everyone else. He said he has been on this board for seventeen years and has heard almost every argument there is about why group homes shouldn't be developed. He said he is not sure whether there is saturation here or not. That is something for the legal minds to determine. It depends on what the State feels is saturation. We have gone to court probably twenty times and every time we have lost and it has cost us money to fight because you are fighting a losing cause. The State law is pretty clear on the establishment of group homes and why they should be established. It is not also entirely true that they don't pay taxes. It depends on how the group home is established. If they buy the group home perhaps they don't pay the taxes but if they are renting it they do pay taxes like everybody else in the Town.

Councilman Maloney said he also feels that if people ask the residents of communities, where these group homes have been established, you would find that they have been good neighbors. He said he didn't think you would read about any child having been raped or attacked by someone who is mentally disabled. These people go out to work every day and are not roaming around the neighborhood like Pee Wee Hermans. They are not there bothering anybody. They work and they have a right to live in a particular neighborhood. He said if this is determined to be saturation then the State will tell us there are too many group homes in that place. He said some of the comments and arguments made tonight are misleading.

Councilman Maloney said someone mentioned that it is not good for these people to be near a school. Why? They can learn a lot from the children in the school and the school children can learn a lot from them. After all, they are human beings like you and I except that they happen to be born with a physical or mental disability. He said that is why he is abstaining.

Councilman Mandia said he has a great deal of respect for Councilman Maloney as he is a trained social worker and a deacon of his church and has deep rooted social and religious feelings about this issue. However, he said the saturation levels in this County are way out of whack. He takes issue with the State cutting \$1,000,000.00 from our Town budget and then trying to lay everything on the communities. They become heroes supposedly and cut taxes. He said with facilities like Letchworth Village and Rockland State laying fallow and forcing these kinds of homes, although they are necessary, into the community at the rate they are doing it, and especially in this County, that we are supposed to be responsible for, he would vote yes on this resolution to deny as he thinks it is the right thing to do.

On roll call the vote was as follows:

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

RESOLUTION NO. (655-1991)

ACCEPTING MINUTES OF TOWN
BOARD MEETINGS OF AUGUST 5
AND AUGUST 13, 1991

Co. Smith offered the following resolution:

RESOLVED, that the minutes of the Town Board Meetings
of August 5, 1991 and August 13, 1991, are hereby accepted as
submitted by the Town Clerk.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (656-1991)

SETTING PUBLIC HEARING RE:
PROPOSED AMENDMENT TO THE
ZONING ORDINANCE OF THE
TOWN OF CLARKSTOWN - (FLOOR
AREA RATIO)

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;

NOW, THEREFORE, be it

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 24th day of September, 1991, at
8:20 P.M., to consider the adoption of the following proposed
amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend Sec. 106-3. Definitions from:

"Floor Area Ratio of a Building - The floor area in
square feet of all buildings on a lot, divided by the areas of such
lot in square feet."

to read as follows:

"Floor Area Ratio of a Building -

(1) For single family detached residences, the floor
area (whether finished or unfinished) in square feet of all
buildings on a lot, divided by the area of such lot in square feet.
For purposes of this definition: attics are not included; covered
porches are included; and 50% of space below ground level (not
including crawl spaces with less than 5 foot headroom) is included.

(2) For all other buildings, the floor area (whether
finished or unfinished) in square feet of all buildings on a lot,
excluding areas used for underground internal parking, divided by
the area of such lot in square feet."

Amend Sec. 106-10B, Table 16 of the General Bulk Regulations,
regarding Floor Area Ratio in the Single-Family Residential Zoning
as follows:

Continued on Next Page

RESOLUTION NO. (656-1991) Continued

<u>ZONE</u>	<u>PRESENT</u>	<u>PROPOSED</u>
R-160	0.05	0.10
R-80	0.10	0.15
R-40	0.15	0.25
R-22	0.20	0.30
R-15	0.20	0.35
R-10	0.25	0.35

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 of Clarkstown, 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. (657-1991)

AUTHORIZING SUPERVISOR TO EXECUTE GRANT OF RIGHT OF WAY TO O & R UTILITIES - MAP 61, BLOCK A, LOT 8 (ZUKOR ROAD, NEW CITY)

Co. Smith offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown be and hereby is authorized to execute a Grant of Right of Way to Orange and Rockland Utilities, Inc. in connection with the installation of lights at the ball field at Zukor Park, located on the west side of Zukor Road, New City, New York, more particularly described on the Tax Map of the Town of Clarkstown as Map 61, Block A, Lot 8.

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. (658-1991)

AUTHORIZING SUPERVISOR TO FILE RECREATION PROGRAM FOR THE ELDERLY RENEWAL APPLICATION WITH NEW YORK STATE OFFICE FOR THE AGING

Co. Smith offered the following resolution:

RESOLVED, based upon the recommendation of Edward J. Ghiazza, Superintendent of Recreation and Parks, the Supervisor is

Continued on Next Page

RESOLUTION NO. (658-1991) Continued

hereby authorized to file a Recreation Program for the Elderly
Renewal Application with the New York State Office for the Aging,
for the period commencing April 1, 1991 to March 31, 1992, and be it

FURTHER RESOLVED, that the total aid for this period
will be \$1,154.00.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (659-1991)

APPROVING AND SUPPORTING
SUBMISSION OF CLARKSTOWN
POLICE DEPARTMENT'S YOUTH
COURT GRANT APPLICATION FOR
YOUTH

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown Police Department is
responsible for the administration of the Clarkstown Youth Court
program, and

WHEREAS, the State of New York and County of Rockland
have each recognized the need to assist local municipalities with
such programs through the continuation of Division for Youth funding
on a 50/50 matching funds basis;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves
and supports the submission of the Clarkstown Police Department's
Youth Court grant application for 50/50% Division for Youth funding
for 1992, and be it

FURTHER RESOLVED, that the Town of Clarkstown shall
provide matching funds equal to or in excess of the monies
reimbursed under the aforesaid grant, pursuant to the proposed
budget submitted therewith.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (660-1991)

APPROVING AND SUPPORTING
SUBMISSION OF CLARKSTOWN
POLICE DEPARTMENT'S
JUVENILE AID BUREAU GRANT
APPLICATION

Co. Maloney offered the following resolution:

Continued on Next Page

RESOLUTION NO. (660-1991) Continued

WHEREAS, the Town of Clarkstown Police Department is responsible for the operation of the Clarkstown Police Juvenile Aid Bureau, and

WHEREAS, the State and County have each recognized the need to assist local municipalities with such programs through the continuation of Division for Youth funding on a 50/50 matching funds basis;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby approves and supports the submission of the Clarkstown Police Department's Juvenile Aid Bureau grant application for 50/50% Division for Youth funding for 1992, and be it

FURTHER RESOLVED, that the Town of Clarktown shall provide matching funds equal to or in excess of the monies reimbursed under the aforesaid grant, pursuant to the proposed budget submitted therewith.

Seconded by Co.

On roll call the vote was as follows:

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

RESOLUTION NO. (661-1991)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF TOWN CODE
(RALPH COPPOLA - NO. 91-28)

Co. Smith offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

RALPH COPPOLA
COPPOLA SERVICES, INC.
47A Route 303
Valley Cottage, New York 10989

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 91-28 to RALPH COPPOLA d/b/a COPPOLA SERVICES, INC.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (662-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "NO
PARKING FROM HERE TO
CORNER" SIGNS IN CENTRAL
NYACK

Co. Mandia offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to install the following "No Parking from Here to Corner" signs in Central Nyack in order to facilitate safe maneuverability for the Central Nyack's Fire Department's fire and emergency vehicles.

1. On both sides of Pine St. (north and south) of Waldron Avenue
- 2.. On both sides of Vine St. (north and south) west of West Broadway.
3. On both sides of West St. (north and south) west of West Broadway.
4. On both sides of Willow Ave. (north and south) east and west of West Broadway.
5. On both sides of Roosevelt Ave. (north and south) west of West Broadway.
6. On both sides of Gillis Ave. (north and south) east of West Broadway.
7. On both sides of Willow Ave. (north and south) west of Towt St.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, 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. (663-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
CURVE WARNING SIGN WITH "25
MPH" PANEL - WEST OF KINGS
HIGHWAY ON OLD MILL ROAD,
VALLEY COTTAGE

Co. Mandia offered the following resolution:

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

A Curve warning sign for the curve west of Kings Highway on Old Mill Road, Valley Cottage with a panel beneath to read, "25 MPH".

and be it

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

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (663-1991) 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. (664-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
"CHILDREN WALKING" SIGNS
AND "T-SIGN" WITH
"DRIVEWAY" PANEL - VICINITY
OF BARDONIA ELEMENTARY
SCHOOL

Co. Mandia offered the following resolution:

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

Signs to depict children walking (see Sec. 236.1 of the
NYS DOT Manual of Uniform Traffic Control Devices Sign
W-6-1). The first on the northside of Bardonia Road,
west of Germonds Road (approximately at culvert). The
second on the southside of Bardonia Road, just east of
NYS Rte. 304 (approximately near Compressed Gas Co.)

Also install a T-sign (see Sec. 232 - NYS DOT MUTCD, a
W 2-2 sign) with a panel beneath to read, "Driveway" (a
W-15-16 sign). Erect this sign on the southside of
Bardonia Road at the corner of Ash Road, Bardonia.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to
forward copies of this resolution to the Superintendent of Highways,
John Mauro, 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. (665-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL "DO
NOT BLOCK INTERSECTION"
SIGN SOUTHSIDE OF CHURCH
STREET AT NORWOOD PLACE,
NANUET

Co. Mandia offered the following resolution:

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

Continued on Next Page

RESOLUTION NO. (665-1991) Continued

A sign to read, "Do Not Block Intersection" to be erected on the southside of Church Street at Norwood Place, Nanuet.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, 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. (666-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "RIGHT LANE MUST TURN RIGHT" SIGN - WEST END RIGHT TURN LANE WEST NYACK ROAD AT CROSSFIELD AVENUE, WEST NYACK. ALSO "RIGHT TURN ONLY" ARROW TO BE PAINTED ON ROADWAY

Co. Mandia offered the following resolution:

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

A sign with the legend, "Right Lane Must Turn Right" (sign #R3-32C) near the west end of the right turn lane on West Nyack Road at Crossfield Avenue, West Nyack. Also a "Right Turn Only" arrow should be painted on the roadway.

and be it

FURTHER RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Superintendent of Highways, John Mauro, 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. (667-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #61-1991 - MOWING EQUIPMENT

Co. Mandia offered the following resolution:

Continued on Next Page

RESOLUTION NO. (667-1991) Continued

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

BID #61-1991
MOWING 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 Tuesday, October 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. 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. (668-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #62-1991 -
COMPRESSED GASES AND
WELDING SUPPLIES

Co. Mandia offered the following resolution:

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

BID #62-1991
COMPRESSED GASES AND WELDING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, September 30, 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. 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. (669-1991)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BID #63-1991 - PRINTING OF
TOWN ENVELOPES & STATIONERY

Co. Mandia offered the following resolution:

Continued on Next Page

RESOLUTION NO. (669-1991) Continued

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

BID #63-1991
PRINTING OF TOWN ENVELOPES & STATIONERY

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, October 2, 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. 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. (670-1991)

AUTHORIZING DIRECTOR OF PURCHASING TO ADVERTISE FOR BIDS FOR BID #1-1992 - STATIONERY AND OFFICE SUPPLIES

Co. Mandia offered the following resolution:

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

BID #1-1992
STATIONERY AND OFFICE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, October 9, 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. 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. (671-1991)

AWARDING BID FOR BID #53-1991 - UNIFORM MAINTENANCE SERVICE FOR CLARKSTOWN POLICE DEPARTMENT (PERSONAL TOUCH CLEANERS)

Co. Mandia offered the following resolution:

Continued on Next Page

RESOLUTION NO. (671-1991)

RESOLVED, based upon the recommendation of the Police Department and the Director of Purchasing that

BID #53-1991
UNIFORM MAINTENANCE SERVICE FOR
CLARKSTOWN POLICE DEPARTMENT

is hereby awarded to

Personal Touch Cleaners
301A North Main Street
Spring Valley, New York 10977
Principals: Yong Sik Whang,
Margaret J. Whang

as per the following price schedule:

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

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. (672-1991)

AWARDING BID FOR BID
#60-1991 - VENDING MACHINE
SERVICES (H & H VENDING OF
ROCKLAND)

Co. Smith offered the following resolution:

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

BID #60-1991
VENDING MACHINE SERVICES

is hereby awarded to:

H & H VENDING OF ROCKLAND
3 Timothy Court
West Nyack, New York 10994
Principals: George Hernandez
Laura Hernandez
David Venitelli
Jeanne Venitelli

as per the following proposals

Soft Drink proposed commission 20% @ .75 Retail
Snacks proposed commission 20% @ .75 Retail
Snacks proposed commission 20% @ .50 Retail
Cigarettes.....proposed commission 20% @ 2.50 Retail

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. (673-1991)

DECREASING APPROPRIATION
ACCOUNT NO. A 7219-219
(MISC. EQUIPMENT) AND
ACCOUNT NO. A 7210-144
(PART-TIME) AND INCREASING
APPROPRIATION ACCOUNT NO. A
7210-319 (MISC. SUPPLIES)

Co. Smith offered the following resolution:

RESOLVED, to decrease Appropriation Account A 7210-219 (Misc. Equipment) by \$550.00 and Account A 7210-114 (part-time) by \$1,300.00 and to increase Appropriation Account A 7210-319 (Misc. Supplies) by \$1,850.00.

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. (674-1991)

INCREASING APPROPRIATION
ACCOUNT NO. A 7210-219
(MISC. EQUIPMENT -
REFRESHMENT STANDS) AND
ACCOUNT NO. A 7210-407
(EQUIPMENT REPAIRS -
REFRESHMENT STANDS) AND
INCREASING REVENUE ACCOUNT
NO. 01-002012 (REFRESHMENT
STANDS)

Co. Smith offered the following resolution:

RESOLVED, to increase Appropriation Account A 7210-219 (Misc. Equipment - Refreshment Stands) by \$5,000.00 and Account A 7210-407 (Equipment Repairs - Refreshment Stands) by \$1,500.00 and to increase Revenue Account 01-002012 (Refreshment Stands) by \$6,500.00.

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. (675-1991)

AUTHORIZING ATTENDANCE AT
1991 5-DAY BASIC ELECTRICAL
TRAINING AND 1991 5-DAY EEC
4 TRAINING PROGRAM -
HIGHWAY DEPARTMENT (EDWARD
SMITH)

Co. Smith offered the following resolution:

WHEREAS, Ted Schultz Ford, Inc. is sponsoring a training program, to be conducted by Ford Motor Company, to be held at the Teterboro Training Center, Teterboro, New Jersey;

Continued on Next Page

RESOLUTION NO. (675-1991) Continued

NOW, THEREFORE, be it

RESOLVED, that Edward Smith, Mechanic/Welder, Highway Department, is hereby authorized to attend the 1991 5-Day Basic Electrical Training during the week of September 9, 1991, and be it

FURTHER RESOLVED, that Edward Smith be authorized to attend the 1991 5-Day EEC 4 Training Program during the week of September 16, 1991.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (676-1991)

AUTHORIZING ATTENDANCE AT
1991 WORKSHOP SERIES
"LEADING AND BUILDING YOUR
TEAM" - HIGHWAY DEPARTMENT
(JOHN F. MAURO AND CHARLES
T. BURGIO) - CHARGE TO
ACCOUNT NO. A 1010-414

Co. Smith offered the following resolution:

RESOLVED, that John F. Mauro, Superintendent of Highways, and Charles T. Burgio, Highway Maintenance Supervisor, III, are hereby authorized to attend the 1991 workshop series "Leading and Building Your Team" presented by the Cornell Local Roads Program Technology Transfer Center, to be held on Tuesday, October 15, 1991 in Westchester County, 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.....	No
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (677-1991)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE BUILDING
OFFICIALS CONFERENCE
(DEPUTY BUILDING INSPECTOR,
BUILDING PLANS EXAMINER AND
TWO (2) ASSISTANT BUILDING
INSPECTORS - CHARGE TO
APPROPRIATION ACCOUNT NO. A
1010-414

Co. Smith offered the following resolution:

RESOLVED, that the Deputy Building Inspector, Building Plans Examiner and two (2) Assistant Building Inspectors are hereby

Continued on Next Page

RESOLUTION NO. (677-1991) Continued

authorized to attend the New York State Building Officials Conference to be held on October 2, 3 and 4, 1991 at the Granit Hotel at Kerhonkson, New York, and be it

FURTHER RESOLVED, that all proper charges be chaged 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. (678-1991)

AUTHORIZING ATTENDANCE AT
CONFERENCE ON SOLID WASTE
MANAGEMENT (DIRECTOR AND
DEPUTY DIRECTOR, DEPARTMENT
OF ENVIRONMENTAL CONTROL)
- CHARGE TO APPROPRIATION
ACCOUNT NO. A 1010-414

Co. Smith offered the following resolution:

RESOLVED, that the Director and Deputy Director Department of Environmental Control, are hereby authorized to attend a conference on Solid Waste Management to be held on September 30 and October 1, 1991 at the Hotels at Syracuse Square, Syracuse, New York, and be it

FURTHER RESOLVED, that all proper charges be charged 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.....No
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (679-1991)

AUTHORIZING ATTENDANCE AT
NEW YORK STATE BUILDING
OFFICIALS CONFERENCE
(BUILDING INSPECTOR AND
CODE ENFORCEMENT OFFICER) -
CHARGE TO ACCOUNT NO. A
1010-414

Co. Smith offered the following resolution:

RESOLVED, that the Building Inspector and Code Enforcement Officer are hereby authorized to attend the New York State Building Officials Conference to be held October 2, 3 and 4, 1991, at the Granit Hotel at Kerhonkson, New York on a per diem basis with no lodging required, and be it

FURTHER RESOLVED, that all proper charges be charged against Appropriation Account A 1010-414.

Continued on Next Page

RESOLUTION NO. (679-1991) Continued

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (680-1991)

AMENDING RESOLUTION NO.
226-119 RE: MAINTENANCE AND
IMPROVEMENTS OF TOWN
CUL-DE-SACS AWARDED TO
PICTURELAWNS, INC.
(WOODHAVEN ESTATES, NEW
CITY)

Co. Maloney offered the following resolution:

WHEREAS, the Town Board adopted Resolution No. 226-1991 at the Town Board meeting of March 26, 1991 which awarded Maintenance and Improvements of Town Cul-De-Sacs to Picturawlans, Inc., and

WHEREAS, as requested by the Supervisor, the Director of the Department of Environmental Control obtained a proposal from Picturawlans, Inc. and has recommended improvements to the islands and cul-de-sac circle at Woodhaven Estates, New City,

NOW, THEREFORE, be it

RESOLVED, that based on the recommendation of the Director of the Department of Environmental Control, the proposal of Picturawlans, Inc. for additional plantings and maintenance of the subject site in the amount of \$1,588.00 be authorized, and be it

FURTHER RESOLVED, that this be an amendment to Resolution No. 226-1991 bringing the total cost authorized to \$39,446.38.

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. (681-1991)

SETTING PUBLIC HEARING
CONCERNING SPECIAL PERMIT
TO ALLOW FOR TOP SOIL
SCREENING OPERATION
BERTOLINO) - MAP 90, BLOCK
A, LOT 11.04

Co. Mandia offered the following resolution:

WHEREAS, Michael Bertolino and Edward Bertolino have petitioned the Town Board of the Town of Clarkstown for a Special Permit to allow for a Top Soil Screening operation pursuant to the provisions of Section 106-10A, Table of General Use Regulations for a M District, Column 3, Section B, Paragraph 7 of the Zoning

Continued on Next Page

RESOLUTION NO. (681-1991) Continued

Ordinance of the Town of Clarkstown, for property situated off Snake Hill Road, West Nyack, New York, designated on the Clarkstown Tax Map as Map 90-A-11.04;

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 8th day of October, 1991, at 8:35 P.M., to consider the application of Michael Bertolino and Edward Bertolino, 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.

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. (682-1991)

APPOINTING HEARING OFFICER
(EDWARD GHIAZZA) RE:
TERMINATION OF EMPLOYEE NO.
188964

Co. Smith offered the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Clarkstown hereby appoint Edward Ghiazza to act as a hearing officer and make recommendations as to whether the Town Board should exercise its discretion pursuant to Section 73 of the Civil Service Law and terminate Employee No. 188964.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (683-1991)

GRANTING PERMISSION TO
DISPENSE ALCOHOLIC
BEVERAGES (ROCKLAND COUNTY
P.B.A. SOFTBALL TOURNAMENT)

Co. Mandia 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,

Continued on Next Page

RESOLUTION NO. (683-1991) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown P.B.A. to dispense alcoholic beverages, in accordance with and subject to Section 22-1A and 2B of the Town Code, at the Rockland County P.B.A. Softball Tournament, which shall be held at Germonds Park, West Nyack, New York, on September 28, 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. (684-1991)

AUTHORIZING TOWN HIGHWAY SUPERINTENDENT TO CRACK-SEAL WOODHAVEN DRIVE, NEW CITY FROM ZUKOR ROAD TO THE CIRCLE - CHARGE TO CAPITAL ACCOUNT NO. H 1989 25P91 08 409

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Highway Superintendent is authorized to crack-seal Woodhaven Drive, New City, from Zukor Road to the Circle, at a cost of \$10,894.00 for crack-sealing, repaving and equipment rental, and be it

FURTHER RESOLVED, that all proper charges be allocated against Capital Account No. H 1989 25P91 08 409.

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. (685-1991)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO CRACK-SEAL WINDGATE DRIVE, NEW CITY - CHARGE TO CAPITAL ACCOUNT NO. H 1989 25P91 07 409.

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Highway Superintendent is authorized to crack-seal Windgate Drive, New City, at a total cost of \$44,961.00 for crack-sealing, repaving and equipment rental, and be it

FURTHER RESOLVED, that all proper charges be allocated against Capital Account No. H 1989 25P91 07 409.

Continued on Next Page

RESOLUTION NO. (685-1991) Continued

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. (686-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO CRACK-SEAL
APPLETON ROAD, NEW CITY -
CHARGE TO CAPITAL ACCOUNT
NO. H 1989 25P91 06 409

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Highway Superintendent is authorized to crack-seal Appleton Road, New City, at a total cost of \$7,622.00 for crack-sealing, repaving and equipment rental, and be it

FURTHER RESOLVED, that all proper charges be allocated against Capital Account No. H 1989 25P91 06 409.

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. (687-1991)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO RECLAIM
HOMESTEAD LANE, BELLOWS
LANE AND LAWNWOOD PLACE,
NEW CITY AND REPAVE SHADY
LANE AND FRANK STREET, NEW
CITY - CHARGE TO CAPITAL
ACCOUNT NO. H 5110-11-409

Co. Maloney offered the following resolution:

BE IT RESOLVED, that the Town Highway Superintendent is authorized to reclaim Homestead Lane, Bellows Lane and Lawnwood Place, New City, and be it

FURTHER RESOLVED, that the Town Highway Superintendent is authorized to repave Shady Lane and Frank Street, New City at a total cost of \$104,727.00, and be it

FURTHER RESOLVED, that all proper charges be allocated against Capital Account No. H 5110-11-409.

Seconded by Co. Kunis

On roll call the vote was as follows:

Continued on Next Page

RESOLUTION NO. (687-1991) Continued

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

RESOLUTION NO. (688-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
N.Y.S. DIVISION OF CRIMINAL
JUSTICE SERVICES

Co. Maloney offered the following resolution:

WHEREAS, the New York State Division of Criminal Services wishes to financially assist the Town of Clarkstown in its drug law enforcement activities, and

WHEREAS, the Town wishes to provide the Mid-Hudson Drug Enforcement Task Force with a member of its police department for drug fighting activities, and

WHEREAS, the State wishes to provide, for the period from January 1, 1991 through March 31, 1992, the sum of \$20,000.00 for reimbursement of overtime expenses for one police officer of the Town of Clarkstown assigned to the Mid-Hudson Drug Enforcement Task Force;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with the New York State Division of Criminal Justice Services accepting financial assistance for the Town of Clarkstown's law enforcement activities whereby the Town would provide the Mid-Hudson Drug Enforcement Task Force with a member of the Town of Clarkstown Police Department for drug fighting activities, and in return the State would reimburse the sum of \$20,000.00 for overtime expenses for one police officer of the Town of Clarkstown assigned to the Mid-Hudson Drug Enforcement Task Force, in a form satisfactory to the Town Attorney, for the period from January 1, 1991 through March 31, 1992.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (689-1991)

AUTHORIZING CONSTRUCTION OF
RECYCLABLE LOADING AREA ON
PROPERTY ADJACENT TO ROUTE
59 COMPOSTING AREA - CHARGE
TO CAPITAL ACCOUNT NO. SR
8160-409-0

Co. Maloney offered the following resolution:

WHEREAS, the Supervisor has requested that the Director of the Department of Environmental Control develop an alternate recycling unloading area; and

Continued on Next Page

RESOLUTION NO. (689-1991) Continued

WHEREAS, the Director of the Department of Environmental Control has suggested an area on Town property adjacent to the Route 59 Composting area;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is authorized to supervise the construction of this new recycling unloading area, using the Solid Waste Facility employees and equipment, and the Town and County bids for materials where possible at a cost not to exceed \$15,000.00; and be it

FURTHER RESOLVED, that the cost shall not exceed \$15,000.00 and shall be charged to Capital Account No. SR 8160-409-0.

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. (690-1991)

AUTHORIZING KOZMA
ASSOCIATES TO PROVIDE
ENGINEERING SERVICES RE:
SQUADRON BOULEVARD, NEW
CITY - CAPITAL ACCOUNT NO.
H 1989-04-409

Co. Maloney offered the following resolution:

WHEREAS, Kozma Associates has performed the hydrological investigation and design for the Demarest Kill through Squadron Boulevard for the Town of Clarkstown, and

WHEREAS, Raymond Keyes Associates, Inc. has performed an alignment study for Squadron Boulevard between Route 304 and Main Street, New City;

NOW, THEREFORE, be it

RESOLVED, that the Town Board selects Alignment B and D of the Raymond Keyes Associates, Inc. study; and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to modify the current agreement with Kozma Associates for engineering services in accordance with his proposal dated November 14, 1990; and be it

FURTHER RESOLVED, that the cost for the final plans, specifications and contract documents not exceed \$10,500.00 and shall be charged to Capital Account No. H 1989-04-409.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (691-1991)

AUTHORIZING SUPERVISOR TO
EXECUTE EASEMENT AGREEMENT
- MAP 129, BLOCK A, LOT 24
(FOLEY)

Co. Maloney offered the following resolution:

RESOLVED, that the Supervisor be and hereby is authorized to execute an Easement Agreement made by Ann Foley agreeing to maintain the forced main within an easement for sanitary sewer, drainage and utilities located at property known and designated on the Clarkstown Tax Map as Map 129, Block A, Lot 23.

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. (692-1991)

AUTHORIZING SUPERVISOR TO
EXECUTE EASEMENT AGREEMENT
- MAP 138, BLOCK J, LOT 7.1
(TOLSTOY)

Co. Smith offered the following resolution:

RESOLVED, that the Supervisor be and hereby is authorized to execute an Easement Agreement for the maintenance of a water detention basin and right of way for ingress and egress upon premises of Tolstoy Foundation, Inc., more particularly designated on the Clarkstown Tax Map as Map 138, Block J., Lot 7.1.

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. (693-1991)

AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT FOR
LIBRARY ASSISTANCE WITH THE
NANUET PUBLIC LIBRARY

Co. Kunis offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the library organization listed below, in a form approved by the Town Attorney, which provides a service for residents of the Town of Clarkstown which is deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that said library shall receive library assistance, pursuant to \$256 of the Education Law of New York State, in the amount of \$3,000.00 for the calendar year 1991.

Seconded by Co. Smith

Continued on Next Page

RESOLUTION NO. (693-1991) 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. (694-1991)

DIRECTING THE DEPARTMENT OF ENVIRONMENTAL CONTROL TO PREPARE BID SPECIFICATIONS REGARDING KINGSGATE PARKWAY

Co. Smith offered the following resolution:

RESOLVED, that the Town Board hereby directs the Director of the Department of Environmental Control to prepare bid specifications for the completion of public improvements at the Kingsgate Condominium site and, in particular, for the wearing course on Kingsgate Parkway, and be it

FURTHER RESOLVED, that the Town Board authorizes the Director of Purchasing to advertise for bids upon receipt of the bid specifications from the Director of the Department of Environmental Control.

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. (695-1991)

AUTHORIZING THE EMPLOYMENT OF WILLIAM BECKMANN TO PERFORM A STATISTICAL ANALYSIS REGARDING TAXES COLLECTED IN THE EAST RAMAPO AND NYACK SCHOOL DISTRICTS - CHARGE TO ACCOUNT NO. 1420-439

Co. Maloney offered the following resolution:

WHEREAS, it has been alleged that properties of Clarkstown residents situate in the East Ramapo and Nyack school districts are being taxed at a higher rate than properties of residents of the Towns of Ramapo and Orangetown, respectively, which are situated in these two school districts, and

WHEREAS, the Town Board of the Town of Clarkstown believes that a statistical comparison of tax parcels located in the East Ramapo and Nyack school districts, and situated in the Towns of Clarkstown, Ramapo and Orangetown will establish whether or not there is unequal treatment among residents of different towns in these school districts and provide a basis for action to be taken concerning the State Equalization Rate in these school districts;

NOW, THEREFORE, be it

RESOLVED, that William Beckmann, having an office at 67 Main Street, Tappan, New York, is hereby employed by the Town of Clarkstown to provide a statistical analysis to establish whether or not there is unequal treatment of Clarkstown taxpayers in the East Ramapo and Nyack school districts, at a compensation per the attached proposal, but not to exceed \$10,000.00, and be it

FURTHER RESOLVED, that fees for such services shall be charged to Account No. A-1420-439.

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. (696-1991)

ACCEPTING RESIGNATION OF
CROSSING GUARD - POLICE
DEPARTMENT (BETTY JEAN
HASTINGS)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Betty Jean Hastings, 40 Old School House Road, New City, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to September 4, 1991.

Seconded by Co. 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. (697-1991)

ACCEPTING RESIGNATION OF
CROSSING GUARD (SUB) -
POLICE DEPARTMENT -
(FRANCES FRANCELLA)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Frances Francella, 702 Nyack Plaza Apts., Nyack, New York - Crossing Guard (Sub.) - Police Department - is hereby accepted - effective and retroactive to September 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

Continued on Next Page

RESOLUTION NO. (698-1991)

ACCEPTING RESIGNATION OF
CROSSING GUARD - POLICE
DEPARTMENT (RICHARD T.
CONLIN)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Richard T. Conlin, 1 Braemer Court, New City, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to September 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. (699-1991)

ACCEPTING RESIGNATION OF
SCHOOL CROSSING GUARD -
POLICE DEPARTMENT (THERESA
D. FITZGERALD)

Co. Kunis offered the following resolution:

RESOLVED, that the resignation of Theresa D. Fitzgerald, 124 South Conger Avenue, Congers, New York - Crossing Guard - Police Department - is hereby accepted - effective and retroactive to September 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. (700-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF (SUBSTITUTE
CROSSING GUARD - POLICE
DEPARTMENT (BARBARA C.
JEDLICKA)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Barbara C. Jedlicka, 9 Henry Street, New City, New York, to the position of (Substitute Crossing Guard) - Police Department - at the rate of \$9.02 - per crossing covered - effective and retroactive to September 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. (701-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF (SUBSTITUTE)
CROSSING GUARD (DOROTHY C.
CUNNINGHAM)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Dorothy C. Cunningham, 121 North Harrison Avenue, Congers, New York, to the position of (Substitute) Crossing Guard - Police Department - at the rate of \$9.02 - per crossing covered - effective and retroactive to September 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. (702-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF CROSSING GUARD
- POLICE DEPARTMENT (EILEEN
E. PEYTON)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Eileen E. Peyton, 15 Avon Lane, New City, New York, to the position of Crossing Guard - Police Department (formerly a Substitute Crossing Guard) - at the rate of \$9.02 per crossing covered - effective and retroactive to September 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. (703-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF CROSSING GUARD
- POLICE DEPARTMENT
(MARGARET T. GILL)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Margaret T. Gill, 647 Russet Road, Valley Cottage, New York, to the position of Crossing Guard - Police Department (formerly a Substitute Crossing Guard) - at the rate of \$9.02 per crossing covered - effective and retroactive to September 4, 1991.

Seconded by Co. Maloney

Continued on Next Page

RESOLUTION NO. (703-1991) (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. (704-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF CROSSING GUARD
- POLICE DEPARTMENT (THOMAS
F. CUNNINGHAM)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Thomas F. Cunningham, 121 North Harrison Avenue, Congers, New York, to the position of Crossing Guard - Police Department - at the rate of \$9.02 - per crossing covered - effective and retroactive to September 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. (705-1991)

RECOGNIZING APPOINTMENT BY
POLICE COMMISSION TO
POSITION OF CROSSING GUARD
- POLICE DEPARTMENT
(MARGARET A. MARSHALL)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Margaret A. Marshall, 108 South Harrison Avenue, Congers, New York, to the position of Crossing Guard - Police Department - at the rate of \$9.02 - per crossing covered - effective and retroactive to September 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. (706-1991)

ACCEPTING RESIGNATION FROM
POSITION OF (PART-TIME)
POLICE RADIO DISPATCHER -
POLICE DEPARTMENT (JANICE
K. DESMOND)

Co. Kunis offered the following resolution:

Continued on Next Page

RESOLUTION NO. (706-1991) Continued

RESOLVED, that the resignation of Janice K. Desmond, 6 Sunnybank Drive, Nanuet, New York - (part-time) Police Radio Dispatcher - Police Department - is hereby accepted - effective and retroactive to August 8, 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. (707-1991)

RECOGNIZING APPOINTMENT BY POLICE COMMISSION TO POSITION OF (PART-TIME) POLICE RADIO DISPATCHER - POLICE DEPARTMENT (RICHARD CUMMINGS)

Co. Kunis offered the following resolution:

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Richard Cummings, 18 Yale Drive, New City, New York, to the position of (part-time) Police Radio Dispatcher - Police Department - at the current 1991 hourly rate of \$10.00 - effective and retroactive to August 24, 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. (708-1991)

APPOINTING TO POSITION OF (TEMPORARY) PART-TIME COUNSELOR - CLARKSTOWN COUNSELING CENTER (ARLENE TEICHBERG)

Co. Kunis offered the following resolution:

RESOLVED, that Arlene Teichberg, 74 Ohio Avenue, Congers, New York, is hereby appointed to the position of (temporary) part-time Counselor - Clarkstown Counseling Center - at the current 1991 hourly rate of \$18.00 - effective September 16, 1991 - for a period not to exceed 30 days (pending Rockland County Personnel Office approval.)

Seconded by Co. Maloney

On roll call the vote was as follows:

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

RESOLUTION NO. (709-1991)

SETTING PUBLIC HEARING FOR
EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT NO. 1 TO INCLUDE
PARKER NANUET ASSOCIATES

Co. Smith offered the following resolution:

WHEREAS, a written Petition dated August 2, 1991 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, New York, in said Town of Clarkstown, on the 8th day of October, 1991, at 8:30 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. Mandia

On roll call the vote was as follows:

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

RESOLUTION NO. (710-1991)

TOWN BOARD PETITIONS U.S.
POST OFFICE TO INCLUDE OMNI
PARK CONDOMINIUMS IN THE
NANUET POST OFFICE

Co. Maloney offered the following resolution:

RESOLVED, that the Town Board of the Town of Clarkstown hereby petitions the U.S. Post Office to include the Omni Park Condominiums, Pipetown Hill Road, Spring Valley, New York to now be included in the Nanuet Post Office.

Seconded by Co. Mandia

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Zone Change R-15 to MF-3 - Map 57, Block M, Lots 2,3 and 4 (Champeau) was continued from August 13, 1991.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Zone Change

Continued on Next Page

R-15 to MF-3 - Map 57, Block M, Lots 2, 3 and 4 (Champeau) was closed, RESOLUTION ADOPTED, time: 10:35 P.M.

RESOLUTION NO. (711-1991)

AMENDING ZONING ORDINANCE
OF TOWN OF CLARKSTOWN -
R-15 to MF-3 - MAP 57,
BLOCK M, LOTS 2, 3 AND 4
(CHAMPEAU)

Co. Kunis offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 25th day of June, 1991, provided for a public hearing on the 13th day of August, 1991, at 8:05 P.M., to consider the application of ROBERT ROY CHAMPEAU, to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioner described on the Clarkstown Tax Map as Map 57, Block M, Lots 2, 3 and 4, from an R-15 District to an MF-3 District, and

WHEREAS, notice of public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the 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 March 28, 1991, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone 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

FURTHER RESOLVED, that the Town Board has determined to adopt this zone change by a majority plus one vote of the Board in contravention of the recommendation of the Rockland County Department of Planning because it believes that the zone change would not create spot zoning and the impact of this change shall not be significant, and be it

FURTHER RESOLVED, that the zone change provided for herein shall be subject to the receipt and acceptance by the Town Board of a covenant to run with the land, submitted by the record owner, in a form approved by the Town Attorney, as follows:

1. All units shall be one-bedroom units;
2. All units shall be retained as rental units for a period of 25 years;
3. Land yield to be determined at the time of site plan review, but shall not exceed 20 units;
4. All drainage and traffic improvements shall be installed as required by the Department of Environmental Control and the Planning Board;
5. Applicant shall dedicate land for road widening to comply with the Official Map, if required.

and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from an R-15 District to an MF-3 District, the following described property in the Hamlet of New City, New York, in said Town, and be it

Continued on Next Page

RESOLUTION NO. (711-1991) Continued

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.

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

Seconded by Co. Mandia

Councilman Kunis said the residents here tonight had very valid comments. He said the attorney for the applicant answered each and every one of the residents' questions to their satisfaction with regard to the units, what would be developed and how large and these were the questions that were asked during the hearing. Also, he said he heard senior citizens, one tonight, comment on these rental apartments being used for seniors. He said it was important to create rental apartments in Clarkstown in the right areas. He said, based on concentric zoning, this is the right area for rental apartments. It will certainly help by creating a supply and lessening a demand. Hopefully, rents in the Town for seniors and the youth of the community will remain stable throughout the next several years.

Councilman Kunis said he thinks it is important at this time to create activity in the Town and he sees many members of a local union here. He said we are in a deep recession and the construction here in Clarkstown in the right place at the right time will certainly be valuable to them and their families in earning a living and helping them through these hard times. He said he would vote yes.

Town Attorney asked Mr. Kunis as a point of clarification did the resolution that he is proposing include the business about limiting it to twenty (20) units?

Councilman Maloney said we certainly need rental apartments. That is all we have been hearing for many years. The Planning Board has approved this. People are usually saying "Listen to what the Planning Board says." When we listen to what the Planning Board says, they say "Don't listen to what they have said." The Planning Board voted for this after much study and they will have a lot to say about the site plan, about the ingress and egress, and traffic problems, etc. We have assurance that there will be no more than twenty apartments and therefore he is voting yes, because it seems to be the proper place in Town for this.

Councilman Mandia said Councilman Maloney basically said most of what he wanted to say. He agreed with him wholeheartedly. He would only add that the conversations he has had with some of the representatives of the community concerned traffic. A mitigating factor is twenty (20) units not forty-five (45) as suspected. He said he was equally confident that the Planning Board and the DEC whose plans are included in that resolution will ensure that every reasonable step will be taken to insure the safety access and egress. He said he thinks the Town does need some rental units. This is concentric zoning close to the center of Town shopping and close to many of the services. He thinks it is a wise move set up the way it is and he votes yes.

Councilwoman Smith said she looks forward to having the units, the same as the units that have been there for so many years and have been maintained so well.

Supervisor Holbrook said he would have preferred to have waited for some dialogue maybe between Mr. Champeau and the residents. Possibly we could have voted in two weeks but that is not the case, so at this juncture he said he would have to vote no on this.

Continued on Next Page

RESOLUTION NO. (711-1991) Continued

On roll call the vote was as follows:

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

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing re: Local Law re: Recodification of the Code of the Town of Clarkstown was opened, time: 10:40 P.M.

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing re: Local Law re: Recodification of the Code of the Town of Clarkstown was closed, RESOLUTION ADOPTED, time: 10:45 P.M.

RESOLUTION NO. (712-1991)

ADOPTING LOCAL LAW NO.
6-1991 - RECODIFICATION OF
LOCAL LAWS, ORDINANCES AND
CERTAIN RESOLUTIONS OF THE
TOWN OF CLARKSTOWN - "CODE
OF THE TOWN OF CLARKSTOWN"

Co. Maloney offered the following resolution:

"A Local Law to Provide for the Recodification of the Local Laws, Ordinances and Certain Resolutions of the Town of Clarkstown into a Municipal Code to be Designated The "Code of the Town of Clarkstown"

was introduced by Councilwoman Smith at a Town Board meeting held on August 13, 1991, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on August 13, 1991, directed that a public hearing be held on September 11, 1991, at 8:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on August 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 July 23, 1991, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 11, 1991;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6-1991, entitled:

"A Local Law to Provide for the Recodification of the Local Laws, Ordinances and Certain Resolutions of the Town of Clarkstown into a Municipal Code to be Designated 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:

Continued on Next Page

RESOLUTION NO. (712-1991) Continued

Charles E. Holbrook, Supervisor...Yes
Steven C. Kunis, Councilman.....Yes
John R. Maloney, Councilman.....Yes
Ralph F. Mandia, Councilman.....Yes
Ann Marie 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.

Seconded by Co. Kunis

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing re: Local Law Creating Architecture and Landscape Commission was opened, time: 10:45 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Local Law Creating Architecture and Landscape Commission was closed, RESOLUTIONS ADOPTED, time: 10:55 P.M.

RESOLUTION NO. (713A-1991)

ADOPTING LOCAL LAW NO.
7-1991 CREATING
ARCHITECTURE AND LANDSCAPE
COMMISSION AND PROVIDING
FOR ITS POWERS AND DUTIES

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"A LOCAL LAW CREATING THE ARCHITECTURE AND LANDSCAPE
COMMISSION AND PROVIDING FOR ITS POWERS AND DUTIES"

was introduced by Councilwoman Smith at a Town Board meeting held on August 13, 1991, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on August 13, 1991, directed that a public hearing be held on September 11, 1991, at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on August 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 September 6, 1991, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on September 11, 1991, and

WHEREAS, pursuant to SEQRA, 6 NYCRR §617.13(d)(15), the proposed local law is a Type II Action, therefore no processing pursuant to the State Environmental Quality Review Act is required;

NOW, THEREFORE, be it

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

"A LOCAL LAW CREATING THE ARCHITECTURE AND LANDSCAPE
COMMISSION AND PROVIDING FOR ITS POWERS AND DUTIES"

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:

Continued on Next Page

RESOLUTION NO. (713A-1991) Continued

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

Seconded by Co. Maloney

RESOLUTION NO. (713B-1991)

ADOPTING LOCAL LAW NO.
8-1991 ENTITLED "REPEAL OF
LOCAL LAW NO. 6-1971 AND
LOCAL LAW NO. 3-1976 OF THE
TOWN OF CLARKSTOWN DEALING
WITH TREES, SHRUBBERY,
TOPSOIL AND SEEDING"

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"A LOCAL LAW ENTITLED, "REPEAL OF LOCAL LAW NO.
6-1971 AND LOCAL LAW NO. 3-1976 OF THE TOWN OF
CLARKSTOWN DEALING WITH TREES, SHRUBBERY, TOPSOIL
AND SEEDING"

was introduced by Councilwoman Smith at a Town Board meeting held on May 28, 1991, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 28, 1991, directed that a public hearing be held on July 9, 1991, at 8:07 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on June 27, 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 June 14, 1990, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on July 9, 1991;

NOW, THEREFORE, be it

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

"A LOCAL LAW ENTITLED, "REPEAL OF LOCAL LAW NO.
6-1971 AND LOCAL LAW NO. 3-1976 OF THE TOWN OF
CLARKSTOWN DEALING WITH TREES, SHRUBBERY, TOPSOIL
AND SEEDING"

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:

Charles E. Holbrook, Supervisor...Yes
Steven C. Kunis, Councilman.....Yes
John R. Maloney, Councilman.....Yes
Ralph F. Mandia, Councilman.....Yes
Ann Marie 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.

Continued on Next Page

RESOLUTION NO. (713B-1991) Continued

Seconded by Co. Maloney

RESOLUTION NO. (713C-1991)

ADOPTING LOCAL LAW NO.
9-1991 "REPEAL OF LOCAL LAW
NO. 1-1965, LOCAL LAW NO.
4-1971, LOCAL LAW NO.
5-1981 AND LOCAL LAW NO.
5-1982 DEALING WITH THE
BOARD OF ARCHITECTURAL
REVIEW OF THE TOWN OF
CLARKSTOWN

Co. Smith offered the following resolution:

WHEREAS, a proposed local law entitled:

"REPEAL OF LOCAL LAW NO. 1-1965, LOCAL LAW NO.
4-1971, LOCAL LAW NO. 5-1981 AND LOCAL LAW NO.
5-1982 DEALING WITH THE BOARD OF ARCHITECTURAL
REVIEW OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on May 28, 1991, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on May 28, 1991, directed that a public hearing be held on July 9, 1991 at 8:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on June 27, 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 June 14, 1990, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on July 9, 1991;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 9 -1991, entitled:

"REPEAL OF LOCAL LAW NO. 1-1965, LOCAL LAW NO.
4-1971, LOCAL LAW NO. 5-1981 AND LOCAL LAW NO.
5-1982 DEALING WITH THE BOARD OF ARCHITECTURAL
REVIEW 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:

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

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

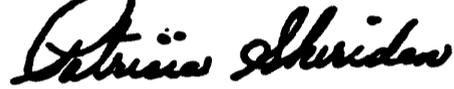
Seconded by Co. Maloney

Councilman Mandia said the members of both the Shade Tree Commission and the Architectural Review Board have served the Town very well under some very difficult circumstances. He said it should be noted in the record that the Town Board expresses their appreciation for the work they did and we look forward to going on to the new commission.

All councilmembers seconded Councilman Mandia's sentiments.

There being no further business to come before the Town Board meeting and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was closed, time: 10:57 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

107

TOWN OF CLARKSTOWN
PUBLIC HEARING
(Continuation from August 13, 1991)

Town Hall

9/11/91

10:15 P.M.

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

RE: Continuation of Public Hearing from August 13, 1991 re: Zone
Change from R-15 to MF-3 - Map 57, Block M, Lots 2, 3 and 4
(Champeau)

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted the public hearing was continued.

Supervisor said we left off with this hearing as various residents were making comments relative to the hearing. Town Attorney said we had received a petition under 265 which was checked by the Department of Environmental Control. They find that it only covers 5% not 20% of the adjoining residents so it is ineffective.

Supervisor asked if there was any member of the public present who wished to make further comment relative to this zone change?

Appearance: Mr. Donald Mallo
10 Old Schoolhouse Road
New City, New York 10956

Mr. Mallo stated that he represented the residents of Old Schoolhouse Road. He said this is not the first time this issue has been before the Board. This issue has been before the Board since 1987. This makes the third time a petition has been filed for a zoning change. Each and every time the Town Board in its wisdom denied the petition on the basis of health, safety, the drainage system, and whether or not Old Schoolhouse Road can handle the traffic flow.

Mr. Mallo asked how many members of the Town Board had actually visited the site and seen the property where the proposed construction would take place? He said many are talking about the nature of the community, and that residences of multiple family dwellings will now be consistent with the Master Plan to get rental housing in the area. He said other developments in the area have been sited such as the apartments on Scarlet Court off Route 304 and also the apartments along Congers Road. He said the significant difference between those apartments and the proposed construction that would take place if this variance were granted would be that those other residences have major arteries which pass by the residences. There is no such major artery where the proposed housing is going to take place. The only road where we have access is Old Schoolhouse Road, which is a very narrow street, no sidewalks and hilly, with several blind spots where accidents have occurred over the past several years. Certainly, this type of area is not conducive to multiple family dwellings especially where the only access route is going to be on Old Schoolhouse Road.

Mr. Mallo said the residents of Old Schoolhouse Road are puzzled because nothing has changed since 1987 with respect to the application to change the zoning. He said the one thing that has changed is the composition of the Town Board. He said all the essential elements which led to the rejection of the petition are there: safety, health and the environment. He said they don't know from Mr. Champeau what exactly is going to be constructed there but have heard anywhere from a low of eighteen units to a maximum of forty-five. He said the residents here would like to know exactly from Mr. Champeau what type of development is going to go into that property and what exactly are going to be the access routes.

Mr. Mallo said he has listened tonight to many other applications and comments by the Board members about access, about safety, about maintaining the integrity of the neighborhood and

Continued on Next Page

being quite concerned about traffic flow and traffic patterns. He said many of Councilpersons present here tonight have expressed in the past a willingness to grant this petition to Mr. Champeau. He said he has heard them this evening emphasize the exact points in other petitions that they have seemingly ignored with respect to this petition - safety, whether or not traffic flow can handle the extra residents, etc. He said the residents of the community would like to sit down with Mr. Champeau in a spirit of conciliation to find out exactly what he plans before we have the actual presentation before the Board.

Mr. Mallo said there is a lot of animosity among the residents and the developer with respect to this property going back six or seven years, even going back to 1983 when this property was the subject of significant litigation between the New York State courts when the property was given to R & R Construction instead of the New City Jewish Center. He said they would like to welcome new residents into the community. They have absolutely no objection to that. However, this whole subject has a veil of secrecy about it. We've tried to make contact to find out exactly what is going to be presented and we have been unsuccessful.

Mr. Mallo said the question he would have is if this application is granted to an MF-3 will the maximum of forty-five units be given? He said he has nothing on the record with respect to what Mr. Champeau intends for that area. That area cannot handle forty-five units. If you assume that each person would have two vehicles that would be ninety cars on an unpaved, unsidewalked street, hilly, curved - it cannot be handled by this community. He said he does not believe the Town Board has really taken a good look at that particular area and seeing whether or not there are any alternatives or any other access roads which Mr. Champeau can use in addition to Old Schoolhouse Road. This property cannot handle the traffic pattern on Old Schoolhouse Road.

Mr. Mallo said we would like to welcome new neighbors into the community and would like to sit down and find out exactly what it is intended. We have not had the opportunity to do that. Each time we speak we get different numbers, different answers and he would like these questions to be put to Mr. Champeau: exactly how many units are intended? Whether or not there are other access routes, whether or not there will be any problems with respect to rodents or any other difficulties that may arise because of the construction in the area. These have not been adequately addressed.

Appearance: Mr. George Zuckerman
Orangetown Senior Housing
34 Courtwood Village
Orangetown, New York 10962

Mr. Zuckerman said he has been told that if this zone change is granted that at least 50% of the apartments will be for senior citizens. He said he certainly is for senior citizens and he would like to request the Town Board to grant that zone change.

Appearance: Mr. Charles Damiani
9 Sylvan Lane
New City, New York

Mr. Damiani said he lives off Old Schoolhouse Road and he said he does not see a traffic problem there. He has been living in the area for two years and every time he drives down Old Schoolhouse Road he is the only one on the road. No one is ever there. There's traffic everywhere. If traffic is a problem there is a way around it. Try driving down Main Street, New City. There is traffic everywhere. He said he was for the zone change and was for the building of these apartments.

Continued on Next Page

Appearance: Mrs. Sandy Peck
12 Patti Court
New City, New York

Mrs. Peck said she wanted to know what guarantees we have that this is going to be senior citizens? Is it going to be in writing? How many of you have really gone down to Old Schoolhouse Road and seen how the traffic problem really is? Can we get a light on the corner of Congers Road and Old Schoolhouse Road. Can Old Schoolhouse Road be a one way street? Something has to be done. It is just not feasible. If he doesn't see traffic problems then he must not drive a car. It is just not feasible to do it. She said they would like to know what is going to be there. They have been hashing this out for years and years. We want a commitment. How many units? We are trying to come to a compromise. We are trying to be reasonable people. If is going to be senior citizens out of the goodness of somebody's heart or for young people, let us talk on public record. What is going to be there? What guarantees do we have about traffic? What guarantees do we have about who is going to live there? What guarantees do we have about fire safety? We want to know. We want a proposal. If there is going to be forty-five units, no, we cannot stand by and have ninety cars on that road. It is just not safe. If it is going to be ten units, let's talk. There has to be some kind of compromise or some kind of plan that we can all sit down and discuss what it does for our Town and our small community. We are willing to do that.

Appearance: Ms. Kathy Saladino
44 Old Schoolhouse Road
New City, New York

Ms. Saladino said that Mr. Champeau had said to her, right outside her home, and she asked him to say it again right here and make a lot of people happy, that he would be willing to sit with the people of the neighborhood and tell us what he has planned, here in front of the Board. She said he told her things that are possibly something that they could accept. She said she wants to hear them here, not in front of her house with two kids at her side. She said if he is willing to talk about it so are they. If not, then there is no way they can accept a blind offer. She said all she knows is that he is going to build here. What is it going to be? Who is going to live on her street? She said she has two young children and she does not want them out there with ninety cars. She said if the gentleman that said he has never seen traffic she would like him there next week at four o'clock in the afternoon when New City Jewish Center has their Hebrew classes and then you tell me there is no traffic. She said she has counted from her window in the afternoon one hundred cars dropping off children and picking them up. We don't need another ninety.

Appearance: Mr. Brian McMann
16 Old Schoolhouse Road
New City, New York

Mr. McMann said he lives right across the street from where these apartments would be built. He said there is a big traffic problem on that road. Cars travel at unsafe speeds on that road as there are no speed limits posted at all. There are a lot of little children in the area. He said he thinks everybody would be willing to sit down with Mr. Champeau and we could work something out. Everybody is diplomatic about things in our group and if we all sit down and work something out everybody will be happy and no one will argue over it. The safety problem is the biggest thing. He said yesterday there were about five hundred cars on the road. If there is an apartment complex there, there will be a big traffic problem that must be addressed.

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Supervisor asked the applicant to make a summation after which the public hearing will be closed.

Mr. Tracy asked if it would be summation or a rebuttal? Supervisor said it could be both. Mr. Tracy said there was remark from the gentleman who spoke as a representative of the citizens. He was not sure if he was an attorney or a traffic expert or whether he was just speaking from his own knowledge. It makes no difference. There was never any animosity between Mr. Tracy's client and the New City Jewish Center. He said there is a big difference between the 1987 proposal, which he was not involved in, and the present proposal. The 1987 proposal was vehemently opposed by the New City Jewish Center. The New City Jewish Center has seen fit not to oppose this proposal. There are different parcels of land involved. There is a complete recommendation for approval by the Town and County Planning Boards. That is the difference between 1987 and 1991.

Mr. Tracy said with regard to the issues which were raised with regard to drainage, with regard to traffic, those are site plan issues. Those issues will be hashed out ad infinitum before the Clarkstown Planning Board. The Site Plan Regulations require a public hearing and require notification of that public hearing. With regard to the present petition it has not been a secret. It has been pending before this Board since September of last year. It is over a year old.

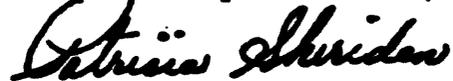
Mr. Tracy said with regard to the number of units, he speaks for his client and with his authorization. The number of units will not exceed twenty (20) one-bedroom units. He said with regard to the configuration of the units, the drainage lay out, the ingress and egress, the screening and the traffic. All of those items will be very adequately addressed by the Clarkstown Planning Board in the event this proposal is approved.

Mr. Tracy said he does not want to rehash his remarks at the initial public hearing when he spoke about the need for rental housing, the area near the hamlet center, etc., and all those salient features of approval recommendations advanced by our planning authorities. With that in mind and mindful of the fact that this matter has been before this Board for over a year and will be hashed out again if approved before the appropriate agency for site plan review he respectfully requested a vote on this matter.

Mr. Tracy said, in answer to a request for clarification from Mr. Mallo, that with his client's knowledge and consent as he sits here before him, there will be no more than twenty (20) one-bedroom units. Mr. Mallo said then there will be no other units? Mr. Tracy said that is the total - one-bedroom units and there will be twenty (20) of them. Mr. Tracy reiterated that they will all be one-bedroom units. There will be no more than twenty (20) of them.

On motion of Councilman Kunis, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 10:35 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (711-1991) ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

9/11/91

10:40 P.M.

Present: Supervisor Holbrook
Council Members Kunis, Maloney, Mandia and Smith
Philip Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

Re: Local Law re: Recodification of the Code
of the Town of Clarkstown

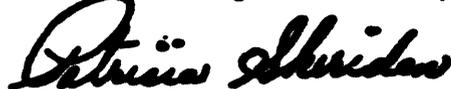
On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing was opened. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Deputy Supervisor Fogel stated that all laws have been recodified with the exception of the zoning ordinance and is ready for local law to pass.

Supervisor asked if anyone present wished to make a comment or ask a question relative to the recodification of the Town Code. No one appeared.

On motion of Councilman Maloney, seconded by Councilman Kunis and unanimously adopted, the public hearing was closed,
RESOLUTIONS ADOPTED, time: 10:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. 712 ADOPTED)

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

9/11/91

10:45 P.M.

Present: Supervisor Holbrook
Council Members Kunis, Maloney, Mandia and Smith
Denise Toriello, Deputy Town Attorney
Patricia Sheridan, Town Clerk

Re: Local Law Creating Architecture and Landscape Commission

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

Deputy Town Attorney Denise Toriello stated that since our last public hearing we have met several times and tried to incorporate all of the comments from the various agencies that are involved. We tried to give the powers and duties to those agencies that are ultimately responsible for doing things, whether it be issuing permits or being in charge of investigating or going out and looking at the property and if there are any problems or violations, etc. Hopefully, this last draft is the way we would like to see this passed.

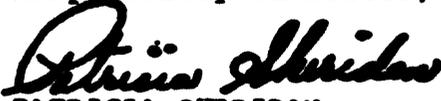
Supervisor said our intention here is to provide for a more viable board. The scope of their duties and what they would be looking at would be increased but he said he thinks it makes for a more coordinated reviewing of applications. When one can take a look at the landscaping as well as the building at the same time. That is the *raison d'etre* behind what we are attempting to do here. He said what the Town Board would like to see is that what recommendations are required by this particular board are in fact in force. He said some of the complaints we have had in the past for example, the Architectural Review Board would see the building after the fact - they are not dealing with the site - everything would be improved and Shade Tree would be complaining because they didn't have enough landscaping. This is an attempt to coordinate it so that whatever recommendations are made would be adhered to. That is our reason for doing this.

Councilman Maloney asked are the recommendations of the Planning Board included here. Ms. Toriello said absolutely. She has the most recent recommendations and they have all been incorporated.

Supervisor asked if there was anyone wishing to comment. No one appeared.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTIONS ADOPTED, time: 10:55 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(RESOLUTIONS NOS. 713A, 713B and 713C ADOPTED)