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TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/11/92

8:00 P.M.

Present: Supervisor Holbrook
Council Members Maloney, Mandia and Smith
Councilman Dusanenko absent due to illness
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor introduced Sgt. Christopher Goodyear and Det. David Elmendorf for the purpose of conducting the Youth Court Graduation Ceremony. It was noted that there were 19 graduates this evening. A description of the Youth Court was given. Certificates were presented to the graduates. Chief Collins congratulated the graduates and their families. Town Board members also offered their congratulations.

Supervisor declared Public Portion of the meeting open.

Appearance: Ms. Marie Broadley
West Nyack, New York 10994

Ms. Broadley, on behalf of the Southern Clarkstown Civic Association, presented a plaque to the Supervisor for his support in opposition to the Pyramid Mall. She spoke in opposition to that proposed mall.

Appearance: Mr. Frank Lampone
representing Rockland County
Central Labor Council

Mr. Lampone presented a copy of a resolution voted on by the Rockland County Central Labor Council which copy is on file in the Town Clerk's Office.

Appearance: Ms. Lucille Bifano
West Nyack, New York

Ms. Bifano spoke in opposition to the Pyramid Mall proposal.

Appearance: Mr. Joe Maraia
former Clarkstown Planning Board member

Mr. Maraia stated he had previously been in favor but is now opposed to the Pyramid Mall proposal.

Appearance: Mr. Skip Coleman
representing Local 754

Mr. Coleman was in favor of the Pyramid Mall proposal.

Appearance: Mr. Lou Distafano
Congers, New York

Mr. Distafano was in favor of the Pyramid Mall proposal.

Appearance: Mr. John Provenzano
West Nyack, New York

Mr. Provenzano was in favor of the Pyramid Mall proposal at one time but is now opposed.

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Appearance: Mr. Bill Hamilton
representing Rockland County Building
Trades Local 964 - Carpenters Union

Mr. Hamilton was in favor of the Pyramid Mall proposal.

Appearance: Mr. Dan Russo
New City, New York

Mr. Russo read a newspaper article from the Times Herald Record dated 2/7/92 regarding negligence on the part of the Pyramid Mall people. Mr. Russo spoke in opposition to the proposed mall.

Appearance: Mr. Charles Schwepp
representing Rockland County
Conservation Association

Mr. Schwepp was opposed to the Pyramid Mall proposal.

Appearance: Donald S. Tracy, Esq.
Attorney for Pyramid Mall

Mr. Tracy stated that the zoning granted to the Pyramid Mall property could not be changed back.

Appearance: Mr. Patrick Purcell
representing United Food Workers
Local 1262

Mr. Purcell was opposed to the Pyramid Mall proposal.

Appearance: Ms. Barbara Zuyneburg
West Nyack, New York

Ms. Zuyneburg was opposed to the Pyramid Mall proposal. She presented copies of articles which appeared in the newspapers which articles are on file in the Town Clerk's office.

Appearance: Mr. Bruce Both
representing Local 1500 UFCW

Mr. Both was opposed to the Pyramid Mall proposal.

Appearance: Mr. John Cuff
West Nyack, New York

Mr. Cuff was in favor of the Pyramid Mall proposal.

Appearance: Ms. Arlene Owen
Congers, New York

Ms. Owen spoke regarding whether the Town Board was going to take appropriate action regarding Safety Kleen.

Appearance: Ms. Jane Howard
Congers, New York

Ms. Howard spoke regarding Safety Kleen and read a statement with regard thereto urging water testing.

Appearance: Ms. Diane Frascone
Congers, New York

Ms. Frascone spoke regarding Safety Kleen also urging the water testing.

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Appearance: Mr. Ross Pepe
representing Construction Industry
Council of Westchester & Hudson Valley

Mr. Pepe was in favor of the Pyramid Mall proposal.

Appearance: Ms. Lorraine DeFao
Congers, New York

Ms. DeFao spoke regarding Safety Kleen also urging the water testing.

Appearance: Ms. Sharon Hittman
West Nyack, New York

Ms. Hittman was opposed to the Pyramid Mall proposal.

Appearance: Mr. Robert Raspanti
New City, New York

Mr. Raspanti was in favor of Pyramid Mall proposal but is now opposed.

Appearance: Mr. Tom Valenti
representing Pyramid Company

Mr. Valenti spoke in favor of the Pyramid Mall proposal.

Appearance: Ms. Dorinda Mittiga
Congers, New York

Ms. Mittiga was opposed to the Pyramid Mall proposal.

RESOLUTION NO. (104-1992)

ACCEPTING MINUTES OF TOWN BOARD MEETINGS OF JANUARY 28, 1992 AND FEBRUARY 3, 1992

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the minutes of the Town Board meetings of January 28, 1992 and February 3, 1992 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (105-1992)

AUTHORIZING TOWN TO ADOPT ADJUSTED BASE PROPORTION FOR CERTIFICATE TO NEW YORK STATE

Co. Maloney offered and Supv. Holbrook seconded

RESOLVED, that the Town Board, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 1992 Assessment Roll for the Town of Clarkstown, and be it

RESOLUTION NO. (105-1992) Continued

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

(Attachment on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (106-1992) AUTHORIZING SUPERVISOR TO ENTER INTO
AGREEMENT WITH AMBULANCE CORPS FOR
BASIC AMBULANCE SERVICE FOR 1992

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown desires to enter into an agreement with the Ambulance Corps which serve the incorporated and unincorporated portions of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement, in a form approved by the Town Attorney, with the following Ambulance Corps, in order to provide for emergency ambulance service to the Town of Clarkstown for the calendar year 1992, upon payment of sums set forth below in quarterly installments at the beginning of each quarter during the calendar year 1992, which shall be charged to the following accounts:

<u>AMBULANCE CORPS</u>	<u>PAYMENT</u>	<u>ACCOUNT NO.</u>
Congers-Valley Cottage Volunteer Ambulance Corps, Inc.	\$50,000.00	A-4540-580
New City Volunteer Ambulance Corps Rescue Squad, Inc.	50,000.00	A-4540-582
Nanuet Community Ambulance Corps, Inc.	50,000.00	A-4540-581
Nyack Community Ambulance Corps	50,000.00	A-4540-583
Spring Hill Ambulance Corps	<u>20,000.00</u>	A-4540-584
TOTAL BASIC AMBULANCE SERVICE	\$220,000.00	

On roll call the vote was as follows:

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

RESOLUTION NO. (107-1992) AUTHORIZING SUPERVISOR TO
ENTER INTO AGREEMENT WITH
ROCKLAND PARAMEDIC SERVICE,
INC. - CHARGE TO ACCOUNT
NO. A 4550-585

Co. Smith offered and Co. Maloney seconded

Continued on Next Page

RESOLUTION NO. (107-1992) Continued

WHEREAS, the Town has heretofore allocated in its 1992 budget the sum of \$932,677.00 for the provision of Emergency Medical/Paramedic Services, and

WHEREAS, Section 122b of the General Municipal Law of the State of New York authorizes the Town government to provide in its discretion for emergency medical services for the purposes of providing emergency care to sick and injured persons found within the municipality, and for that purpose a Town may enter into contracts with one or more associations, corporations, or organizations for the furnishing of emergency medical services to such persons, and

WHEREAS, the Town desires that the emergency medical services provided within its jurisdiction be at the level of care provided by Advanced Emergency Medical Technicians, to wit, Paramedics, as defined by New York State Public Health Law, Section 3001(7), and

WHEREAS, Rockland Paramedic Service, Inc. provides a paramedic service capable of providing an "Advanced Life Support System" (as defined by New York State Public Health Law, Section 3001(12)), "Advanced Life Support Services" (as defined by Public Health Law Section 3001(11)), and "Advanced Life Support System" (as defined by Public Health Law Section 3031) and desires to provide such services to the Town, except such ambulance service which shall be provided by local Volunteer Ambulance Corps, and

WHEREAS, the Town desires to obtain the services of Rockland Paramedic Service, Inc. to provide twenty-four (24) hour per day Paramedic Services, except such ambulance service which shall be provided by local volunteer ambulance corps as needed by the Town residents and transient population and has appropriated funds to defray the operational expenses of Rockland Paramedic Service, Inc.;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized and directed to enter into a tripartite agreement, in a form approved by the Town Attorney, with Rockland Paramedic Service, Inc., in order to provide for Emergency Medical/Paramedic Services for the calendar year 1992, and with Congers-Valley Cottage Volunteer Ambulance Corps, Inc., New City Volunteer Ambulance Corps/Rescue Squad, Inc., Nanuet Community Ambulance Corps, Inc., Nyack Community Ambulance Corps, and the Spring Hill Ambulance Corps for volunteer ambulance service, and be it

FURTHER RESOLVED, that the sum of \$932,677.00, for the provision of Emergency Medical/Paramedic Services to the Town of Clarkstown by Rockland Paramedic Service, Inc., shall be charged to Account No. A-4540-585.

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

RESOLUTION NO. (108-92)

AUTHORIZING RETURN OF
MAINTENANCE BOND FOR
DEDICATED SUBDIVISION - MAP
81, BLOCK B, LOT 11 & 12.02
(WINDEMERE WOODS)

Continued on Next Page

RESOLUTION NO. (108-92) Continued

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, maintenance bond secured by a Certified Check in the sum of \$1,012.50 furnished to the Town in connection with dedication on July 15, 1985, of the public improvements in a subdivision known as "Windemere Woods" New City, New York (Map 81-B-11 & 12.02) may be released to the guarantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (109-1992)

AUTHORIZING RELEASE OF
PERFORMANCE BOND - MAP 120,
BLOCK A, LOT 55 (BERGSTOL
SUBDIVISION)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Performance Bond secured by a Letter of Credit in the sum of \$18,000 furnished to the Town in connection with final approval of a subdivision known as "Subdivision of Property for Kenneth Bergstol", West Nyack, New York (Map 120-A-55) is terminated and the Letter of Credit may be released to the guarantor.

On roll call the vote was as follows:

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

RESOLUTION NO. (110-1992)

ACCEPTING IMPROVEMENTS IN
TOWN OF CLARKSTOWN - VALLEY
VIEW ESTATES

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendation of the Director of Environmental Control and the Superintendent of Highways of the Town of Clarkstown, deed from CAL-LYNN INCORPORATED dated June 18, 1991, to the Town of Clarkstown conveying the following:

1. Turner Court;
2. a 5 ft. road widening strip affecting White Street and Second Avenue;
3. a Water, Drainage and Sanitary Sewer Easement affecting Lots 3 and 4;

all as shown in a subdivision plat entitled "Subdivision of Property of VALLEY VIEW ESTATES", filed in the Rockland County Clerk's Office on August 5, 1987, in Map Book 108 at Page 31 as Map No. 6099, is hereby accepted by the Town of Clarkstown, retroactive to January 16, 1992; and be it

Continued on Next Page

RESOLUTION NO. (110-1992) Continued

FURTHER RESOLVED, that Maintenance Bond No. S M35437 dated the 28th day of January, 1992, Cal Lynn, Inc. as Principal and Peerless Insurance Company as Surety, is hereby accepted.

On roll call the vote was as follows:

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

RESOLUTION NO. (111-1992)

AUTHORIZING SETTLEMENT OF
TAX CERTIORARI - TREETOP
PLACE PHASE A SECTION ONE
CONDOMINIUM

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, TREETOP PLACE PHASE A SECTION ONE CONDOMINIUM v. ASSESSOR OF THE TOWN OF CLARKSTOWN, et al., Index Nos. 5510/87, 4021/88, 4674/89, 5280/89, 4782/90 and 6252/91 for the years 1987/88, 1988/89, 1989/90, 1990/91 and 1991/92 affecting parcels designated as Map 165, Block B, and affecting various lots as described on the attached Schedule "1", and

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

1. That the assessment against the above-described properties on the 1987, 1988 and 1989 Assessment Roll of the Town of Clarkstown shall remain unchanged;
2. That the assessment against the above-described properties be reduced for the years 1990/91 and 1991/92 to the total assessed valuations set forth in the columns entitled "Corrected Assessed Value" as shown on the attached Schedules "1" and "2";
3. That the restricted assessments on the above-described properties for the years 1990/91 and 1991/92 be reduced to the total restricted assessed valuations as set forth in the columns entitled "Corrected Restricted Assessed Value" as shown on Schedules "3" and "4", annexed hereto;
4. That the assessments and restricted assessments against the above described properties for the 1992 assessment roll be such assessments and restricted assessments as set forth on the attached Schedules "5" and "6", respectively;
5. That reimbursement for the years 1990/91 and 1991/92 on the above parcels be made within 90 days through the Office of the Commissioner of Finance. If payment is made within 90 days, no interest will be charged;
6. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

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

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RESOLUTION NO. (111-1992) Continued

Clarkstown; and the attorney for the Clarkstown Central School District has consented to such settlement.

NOW, THEREFORE, be it

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

(Schedules on File in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (112-1992)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL SIGN "SOUTH MAIN STREET" BENEATH "ROUTE 304" AT INTERSECTION OF ROUTE 304 AND LEONA AVENUE, NEW CITY

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install a sign reading "SOUTH MAIN STREET" beneath the "ROUTE 304 identification sign at the intersection of Route 304 and Leona Avenue in New City.

On roll call the vote was as follows:

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

RESOLUTION NO. (113-1992)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL "NO THRU TRUCKS" SIGN UNDER "DEADEND STREET" AT INTERSECTION OF WELLS AVENUE AND SOUTHWARD AVENUE

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install a "No Thru Trucks" sign under the "Deadend Street" sign at the intersection of Wells Avenue and Southward Avenue.

On roll call the vote was as follows:

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

RESOLUTION NO. (114-1992)

AMENDING RESOLUTION NO.
825-1990 AND AUTHORIZING
SUPERINTENDENT OF HIGHWAYS
TO INSTALL SIGNS "NO
STANDING ANYTIME" ON NORTH
AND SOUTH SIDES OF
CHRISTIAN HERALD ROAD FROM
NEW YORK STATE ROUTE 9W
WESTWARD FOR A TOTAL OF .4
(4/10) OF A MILE

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of Howard
L. Lampert, Traffic & Highway Engineering Consultant in a report
dated January 21, 1992, Town Board Resolution Number 825-1990 is
hereby amended as follows:

John F. Mauro, Superintendent of Highways is hereby
authorized to install signs to read "No Standing Anytime" on both
the north and south sides of Christian Herald Road from New York
State Route 9W, westward for a total of .4 (4/10) of a mile.

On roll call the vote was as follows:

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

RESOLUTION NO. (115-1992)

AUTHORIZING SUPERINTENDENT
OF HIGHWAYS TO INSTALL
VARIOUS SIGN WORK
RECOMMENDED FOR PASCACK ROAD

Co. Maloney offered and Co. Mandia seconded

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

PLEASE SEE THE ATTACHED WHICH DESCRIBES INSTALLATION
OF SIGNS, REMOVAL AND RELOCATION ON PASCACK ROAD,
SPRING VALLEY (This attachment is on file in the
Town Clerk's Office.)

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.

On roll call the vote was as follows:

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

RESOLUTION NO. (116-19192)

ACCEPTING PROPOSAL FROM
ORANGE AND ROCKLAND
UTILITIES, INC. FOR STREET

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RESOLUTION NO. (118-92) Continued

INC. & BRUDON CONSTRUCTON,
INC., & DAL ENTERPRISES
INC. - NO. 92-21; AND
LIFESTYLE BUILDERS INC. -
NO. 92-24

Co. Maloney offered and Co. Mandia seconded

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

W. HARRIS & SON, INC.
37 W. Washington Avenue
Pearl River, New York 10965

LIFESTYLE BUILDERS, INC.
495 Country Club Lane
Pomona, New York 10970

HENRY SMITH, INC.
& BRUDON CONSTRUCTION, INC.
& DAL ENTERPRISES, INC.
P.O. Box 24
Monsey, New York 10952

RESOLVED, that the following Certificates of
Registration be issued:

- No. 92-19 W. HARRIS & SON, INC.
- No. 92-21 HENRY SMITH, INC.
- No. 92-24 LIFESTYLE BUILDERS, INC.

On roll call the vote was as follows:

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

RESOLUTION NO. (119-1992)

AWARDING BIDS FOR BID
#66-1991 - ASBESTOS
REMOVAL/BUILDING DEMOLITION
18 CHESTNUT STREET, CENTRAL
NYACK NY - MAP 120, BLOCK
G, LOT 37 (PHASE I -
VITIELLO CONSTRUCTION INC.
AND PHASE II - CAROL
EQUIPMENT CO. INC.)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that

BID #66-1991
ASBESTOS REMOVAL/BUILDING DEMOLITION
18 CHESTNUT STREET, CENTRAL NYACK NY
(TAX MAP 120-G-37)

is hereby awarded as follows:

PHASE I - ASBESTOS REMOVAL
AWARDED TO: VITIELLO CONSTRUCTON INC.
85 UNION ROAD
SPRING VALLEY NY 10977
PRINCIPAL: NEIL J VITIELLO

as per their low bid proposal of \$750.00

and

Continued on Next Page

RESOLUTION NO. (119-92) Continued

PHASE II - BUILDING DEMOLITION
AWARDED TO: CAROL EQUIPMENT CO INC
17 CHESTNUT ST
MAHWAH NJ 07430
PRINCIPAL: STEVE SAUFROY

as per their low bid proposal of \$5700.00
and be it

FURTHER RESOLVED, that awards are subject to the receipt of a performance bond for 100% of proposed project cost from each contractor and other post award/prework submittals as outlined in the bid specifications (as applicable).

On roll call the vote was as follows:

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

RESOLUTION NO. (120-1992)

AWARDING BIDS FOR BID
#67-1991 ASBESTOS
REMOVAL/BUILDING DEMOLITION
6 HUTTON AVENUE, NANUET,
NEW YORK - MAP 163, BLOCK
A, LOT 11 (PHASE I -
VITIELLO CONSTRUCTION INC.
AND PHASE II - CAROL
EQUIPMENT CO INC)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that

BID #67-1991
ASBESTOS REMOVAL/BUILDING DEMOLITION
6 HUTTON AVE, NANUET NY
(TAX MAP 163-A-11)

is hereby awarded as follows:

PHASE I - ASBESTOS REMOVAL
AWARDED TO: VITIELLO CONSTRUCTION INC
85 UNION ROAD
SPRING VALLEY NY 10977
PRINCIPAL: NEIL J VITIELLO

as per their low bid proposal of \$750.00
and

PHASE II - BUILDING DEMOLITION
AWARDED TO: CAROL EQUIPMENT CO INC
17 CHESTNUT ST
MAHWAH NJ 07430
PRINCIPAL: STEVE SAUFROY

as per their low bid proposal of \$24,700.00
and be it

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RESOLUTION NO. (120-1992) Continued

FURTHER RESOLVED, that awards are subject to the receipt of a performance bond for 100% of proposed project cost from each contractor and other post award/prework submittals as outlined in the bid specifications (as aplicable).

On roll call the vote was as follows:

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

RESOLUTION (121-1992)

AWARDING BIDS FOR BID #9-1992 - GROUNDSKEEPING/LANDSCAPE SUPPLIES (MANTEK, MATTERHORN NURSERY INC., PRO LAWN PRODUCTS, THE TERRE COMPANY AND TNT MATERIALS)

Co. Mandia offered and Co. Maloney seconded

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

BID #9-1992
GROUNDSKEEPING/LANDSCAPE SUPPLIES

is hereby awarded to

MANTEK
P.O. BOX 660196
DALLAS, TX. 75266
PRINCIPALS: IRVIN LEVY
LESTER LEVY
MILTON LEVY, JR.

MATTERHORN NURSERY INC.
227 SUMMIT PARK ROAD
SPRING VALLEY, NY 10977
PRINCIPALS: MATT HORN
VERONICA HORN

THE TERRE COMPANY
P.O. BOX 1014
CLIFTON, NJ 07014
PRINCIPALS: WILLIAM A. FEURY, SR.
WILLIAM B. FEURY
THOMAS S. FEURY

PRO LAWN PRODUCTS
P.O. BOX 182A-RD#1
WRIGHTS TOWN, NJ 08502
PRINCIPAL: PUBLIC CORPORATION

TNT MATERIALS
P.O. BOX 56
HAMBURG, NJ 07419
PRINCIPAL: NICHOLAS PAPPAS

as per attached price item schedule

(Item/price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (122-1992)

AWARDING BIDS FOR BID #10-1992 - HIGHWAY SIGNING AND ROAD MAINTENANCE

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RESOLUTION NO. (122-92) Continued

SUPPLIES (GARDEN STATE
HIGHWAY, 3M COMPANY, DAN
POLEY SUPPLY, HIGHWAY
TRAFFIC SUPPLY, CHEMUNG
SUPPLY CO., BRIGHTON
VENTURES LTD, EXPANDED
SUPPLY PROD., AND CAPITOL
HIGHWAY MATERIAL

Co. Mandia offered and Co. Maloney seconded

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

BID #10-1992
HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to:

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

3M COMPANY
TRAFFIC CONTROL MATERIALS
3M CENTER
BUILDING 223-3N
ST. PAUL MN 55144
PRINCIPAL: PUBLIC CORPORATION

DAN POLEY SUPPLY
PO BOX 228
LIBERTY NY 12754
PRINCIPALS: DANIEL R. POLEY
TERESA POLEY

HIGHWAY TRAFFIC SUPPLY
28 WASHINGTON AVE
PEARL RIVER NY 10965
PRINCIPALS: THOMAS W. NARDINI
MARYANNE NARDINI

CHEMUNG SUPPLY CO
PO BOX 527
ELMIRA NY 14902
PRINCIPALS: HERMAN WARSHAW
MYRA STEMERMAN
SUZANN SUNA

BRIGHTON VENTURES LTD
1465 ROUTE 52
HOPEWELL JUNCTION NY 12533
PRINCIPALS: JOHN R. BOYTAS
KARL FRITZ DEHNHARDT

EXPANDED SUPPLY PROD
RD #1, BOX 93
ROUTE 9
COLD SPRING NY 10516
PRINCIPALS: BRUCE KEHR
DONNA KEHR

CAPITOL HIGHWAY MATERIAL
ROUTE 6
BALDWIN PLACE NY 10505
PRINCIPALS: MARK ABRAMS
CHRIS GRATZ
SIDDARTH BADDICHARJI
VICTOR PAIS
VIAZ KAROGLANIAM

as per the attached item/price schedule

(Item/price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (123-1992)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE
(DEANNA SANDERSON)

Co. Maloney offered and Co. Mandia seconded

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RESOLUTION NO. (123-1992) Continued

RESOLVED, that Deanna Sanderson, 334 Strawtown Road, New City, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective and retroactive to January 15, 1992 and to expire on January 14, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (124-1992)

REAPPOINTING TO POSITION OF
MEMBER - INDUSTRIAL
DEVELOPMENT COMMITTEE (JOHN
LODICO)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that John Lodico, 2 Birch Lane, New City, New York, is hereby reappointed to the position of Member - Industrial Development Committee - to serve without compensation - term effective February 25, 1992 and to expire on February 24, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (125-1992)

REAPPOINTING TO POSITION OF
MEMBER - FIRE BOARD OF
APPEALS (ROBERT JOHNSON)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Robert Johnson, 689 Cottage Lane, Valley Cottage, New York, is hereby reappointed to the position of Member - Fire Board of Appeals - to serve without compensation - term effective February 28, 1992 and to expire on February 27, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (126-1992)

APPOINTING TO POSITION OF
PART-TIME BUS DRIVER - MINI
TRANS DEPARTMENT (FRANCIS
THOMAS)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Francis Thomas, 609 Sierra Vista Lane, Valley Cottage, New York, is hereby appointed to the position of part-time Bus Driver - Mini Trans Department - at the current 1992

Continued on Next Page

RESOLUTION NO. (126-92) Continued

hourly rate of \$10.10 - effective and retroactive to February 5, 1992.

On roll call the vote was as follows:

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

RESOLUTION NO. (127-1992)

APPOINTING TO POSITION OF
(PROVISIONAL) COUNSELOR
(MUNICIPAL COUNSELING
SERVICES) - CLARKSTOWN
COUNSELING CENTER (BRIAN J.
CONNOLLY)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Brian J. Connolly, 220 Parkside Drive, Suffern, New York, is hereby appointed to the position of (provisional) Counselor (Municipal Counseling Services) - Clarkstown Counseling Center - at the current 1992 annual salary of \$29,167.00 (Grade 24, Step AA) effective February 13, 1992.

On roll call the vote was as follows:

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

RESOLUTION NO. (128-1992)

ACCEPTING RESIGNATION OF
CLERK TYPIST - BUILDING
DEPARTMENT (GAIL HOLLAND)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Gail Holland, 4 Elyse Drive, New Paltz, New York - Clerk Typist - Building Department - is hereby accepted - effective and retroactive to January 28, 1992.

On roll call the vote was as follows:

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

RESOLUTION NO. (129-1992)

ESTABLISHING PARKS BOARD
AND RECREATION PART-TIME
SALARIES FOR 1992

Co. Maloney offered and Co. Mandia seconded

RESOLVED, based upon the recommendation of the Clarkstown Parks Board and Recreation Commission and the Superintendent of Recreation and Parks that the following 1992 part-time salaries be established:

Continued on Next Page

RESOLUTION NO. (129-92) Continued

<u>PART-TIME</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Recreation Aide	\$4.25/hr.	\$ 4.25/hr.
Recreation Assistant	\$4.50/hr.	\$12.00/hr.
Recreation Leader	\$7.00/hr.	\$15.00/hr.
Recreation Specialist	\$7.00/session	\$35.00/session
Refreshment Stand Attendant I	\$4.25/hr.	\$ 7.00/hr.
Refreshment Stand Attendant II	\$6.00/hr.	\$10.00/hr.
Lifeguard	\$7.00/hr.	\$ 9.50/hr.
Head Lifeguard	\$8.50/hr.	\$10.50/hr.
Water Safety Instructor	\$8.50/hr.	\$10.00/hr.
Head Water Safety Instructor	\$9.00/hr.	\$11.00/hr.
Laborer-Student	\$6.00/hr.	\$ 9.00/hr.
Groundswoker (L)	\$8.00/hr.	\$11.00/hr.
Custodial Worker (Seasonal)(L)	\$5.00/hr.	\$11.00/hr.
Senior Citizen's Leader (Part-time)	\$10,400./year	\$20,800./year
Swim Area Supervisor (Seasonal)	\$ 9,536./season	\$14,333./season
Senior Recreation Leader (Seasonal)	\$ 4,780./season	\$ 7,513./season
Senior Recreation Activity Specialist (Seasonal)	\$ 3,418./season	\$ 6,148./season

On roll call the vote was as follows:

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

RESOLUTION NO. (130-1992)

SETTING PUBLIC HEARING RE:
PROPOSED AMENDMENT TO THE
ZONING ORDINANCE (SECTION
106-29C) PERIOD OF TIME FOR
SPECIAL PERMITS AND
VARIANCES

Co. Mandia offered and Co. Smith seconded

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

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

NOW, THEREFORE, be it

RESOLVED, that 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 March, 1992, at 8:35 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend Section 106-29C of the Zoning Ordinance as follows:

"Existing permits, subject to provisions controlling non-conforming uses, provisions of the Town Law, site plan regulations, subdivision regulations, and §§106-30E and 106-31C(3). This chapter is not intended to abrogate or annul any building permits, certificates

Continued on Next Page

RESOLUTION NO. (130-92) Continued

of occupancy, variances or special permits lawfully issued, or preliminary site plans and subdivision plats approved before the effective date of this chapter. Notwithstanding any provision of this chapter to the contrary, no special permit or variance hereafter issued shall have any force or effect for a period greater than eighteen (18) months after the date of its issuance by the Town Board or Zoning Board of Appeals, and any special permit or variance heretofore issued shall expire eighteen (18) months after the effective date hereof. Prior to such expiration, the owner or applicant may apply to the Town Board or the Zoning Board of Appeals for an extension of the original special permit or variance, and the Town Board or the Zoning Board of Appeals may, for good reason shown after due notice and public hearing, extend such special permit or variance for a reasonable period, not to exceed an additional eighteen (18) month period, and may place any reasonable conditions on such extension to secure commencement of construction as promptly as possible. In the event construction on said special permit or variance is not commenced within such eighteen (18) month period, or such period as the same may have been extended, reapplication must be made to the Town Board or the Zoning Board of Appeals for said special permit or variance."

and be it

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

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

On roll call the vote was as follows:

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

Supervisor offered a motion referring and setting a date for a public hearing to consider the rezoning from MRS to LIO on the Pyramid site. This motion did not receive a second. There was extensive discussion on the Pyramid proposal between the Town Board Members at this point.

RESOLUTION NO. (131-1992) (FAILED)

REQUESTING PLANNING BOARD
TO REQUIRE SUPPLEMENTAL
ENVIRONMENTAL IMPACT
STATEMENT FOR PYRAMID
PROJECT

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Pyramid Company has drastically altered the concept of their project in West Nyack, changing it from an

Continued on Next Page

RESOLUTION NO. (131-1992) Continued

upscale shopping center to a discount/outlet mall, which is entirely different from the premise upon which the original environmental impact statement was based, and

WHEREAS, the new concept is likely to attract different shoppers and larger crowds of people, many from different areas of the region, which will create more traffic to the mall and will drastically alter the traffic patterns from those considered in the original environmental impact statement, and

WHEREAS, the new concept will impact differently upon existing retail facilities and this was not considered in the original Pyramid environmental impact statement, and

WHEREAS, along with that new concept have come major revisions to the original site plan, such as replacing the parking garage with huge paved parking lots, merging the skating rink and community center with the mall structure itself, and limiting future potential for parking if the West Shore Commuter Line is restored,

NOW, THEREFORE, be it

RESOLVED, that the Planning Board is hereby requested to require the Pyramid Company to submit a supplemental impact statement which fully addresses all the areas that are changed by the revised Pyramid proposal.

On roll call the vote was as follows:

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

RESOLUTION NO. (132-1992)(FAILED)

REQUESTING PLANNING BOARD
TO REQUIRE NEW
ENVIRONMENTAL IMPACT
STATEMENT FOR PYRAMID
PROJECT

Supv. Holbrook offered and Co. Mandia seconded

WHEREAS, the Pyramid Company has drastically altered the concept of their project in West Nyack, changing it from an upscale shopping center to a discount/outlet mall, which is entirely different from the premise upon which the original environmental impact statement was based, and

WHEREAS, the new concept is likely to attract different shoppers and larger crowds of people, many from distant areas of the region, which will create more traffic to the mall and will drastically alter the traffic patterns from those considered in the original environmental impact statement, and

WHEREAS, the new concept will impact differently upon existing retail facilities and workers, particularly since non-union stores are now proposed which could jeopardize the jobs of union workers in existing stores in Clarkstown, and this was not considered in the original Pyramid environmental impact statement, and

WHEREAS, along with that new concept have come major revisions to the original site plan, such as replacing the parking garage with huge paved parking lots, merging the skating rink and

Continued on Next Page

RESOLUTION NO. (132-92) Continued

community center with the mall structure itself, and limiting future potential for parking if the West Shore Commuter Line is restored,

NOW, THEREFORE, be it

RESOLVED, that the Planning Board is hereby requested to require the Pyramid Company to submit an entirely new environmental impact statement which fully addresses the totally revised Pyramid proposal.

On roll call the vote was as follows:

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

At this point Town Clerk presented a letter from the New City Chamber of Commerce for distribution to the entire Board regarding the Pyramid proposal. This letter is on file in the Town Clerk's office.

Supervisor noted that since there was not a full board present this evening we are going to have to put this on for February 25th and see if we can come to some sort of decision.

RESOLUTION NO. (133-1992)

AUTHORIZING ATTENDANCE AT AMERICANS WITH DISABILITIES ACT: RESPONDING TO THE NEW LAW SEMINAR - DECREASE CONTINGENCY ACCOUNT A 1990-505 AND INCREASE APPROPRIATION ACCOUNT A 1010-414

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Councilwoman Ann Marie Smith is hereby authorized to attend The Americans with Disabilities Act: Responding to the New Law Seminar, on February 24, 1992 at Saddle Brook, New Jersey and that all proper charges be charged to Appropriation Account A 1010-414, and be it

FURTHER RESOLVED, that Contingency Account A 1990-505 be decreased and Appropriation Account A 1010-414 be increased by \$150.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (134-1992)

AUTHORIZING TOWN JUSTICE TO ATTEND MANDATORY TOWN

RESOLUTION NO. (134-1992) Continued

JUSTICE TRAINING SESSION
(SCOTT UGELL)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Scott Ugell, Town Justice, to attend the mandatory Town Justice Training Session to be held on February 17, 1992, in New York, New York, all expenses to be paid by the Town.

On roll call the vote was as follows:

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

RESOLUTION NO. (135-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #18-1992 -
ARTS & CRAFTS SUPPLIES

Co. Maloney offered and Co. Mandia seconded

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

BID #18-1992
ARTS & CRAFTS SUPPLIES

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, March 5, 1992 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (136-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #19-1992 -
REFUSE PICK-UP SERVICE TOWN
FACILITIES

Co. Maloney offered and Co. Mandia seconded

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

BID 19-1992
REFUSE PICK-UP SERVICE TOWN FACILITIES

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Friday, March 6, 1992 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (136-1992) Continued

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

On roll call the vote was as follows:

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

RESOLUTION NO. (137-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #20-1992 -
MAINTENANCE/IMPROVEMENTS TO
TOWN CUL-DE-SACS

Co. Maloney offered and Co. Mandia seconded

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

BID #20-1992
MAINTENANCE/IMPROVEMENTS TO
TOWN CUL-DE-SACS

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, March 12, 1992 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (138-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #21-1992 -
SALE OF SURPLUS DATA
PROCESSING AND OFFICE
EQUIPMENT

Co. Maloney offered and Co. Mandia seconded

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

BID #21-1992
SALE OF SURPLUS DATA PROCESSING
AND OFFICE EQUIPMENT

bids to be returnable to the office of the Clarkstown Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, March 9, 1992 at which time bids will be opened and read, and be it

Continued on Next Page

RESOLUTION NO. (138-1992) Continued

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

On roll call the vote was as follows:

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

RESOLUTION NO. (139-1992)

AUTHORIZING DIRECTOR OF
PURCHASING TO ADVERTISE FOR
BIDS FOR BID #22-1992 -
DEMOLITION OF STRUCTURE -
MAP 113, BLOCK A, LOT 23.2
-180 CONGERS ROAD, CONGERS

Co. Maloney offered and Co. Mandia seconded

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

BID #22-1992
DEMOLITION OF STRUCTURE - 180 CONGERS ROAD,
CONGERS (MAP 113, BLOCK A, LOT A 23.2)

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Monday, March 2, 1992 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (140-1992)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF TOWN CODE
(VICTOR P. ZUGIBE - NO.
92-14)

Co. Maloney offered and Supv. Holbrook seconded

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

VICTOR P. ZUGIBE, INC.
66 Railroad Avenue
Garnerville, New York 10923

RESOLVED, that the following Certificate of Registration be issued:

Continued on Next Page

RESOLUTION NO. (140-1992) Continued

No. 92-14 VICTOR P. ZUGIBE

On roll call the vote was as follows:

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

RESOLUTION NO. (141-1992)

GRANTING CERTIFICATE OF
REGISTRATION PURSUANT TO
SECTION 83-65 OF TOWN CODE
(PETER BITTS EXCAVATING -
92-23)

Co. Maloney offered and Supv. Holbrook seconded

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

PETER BITTS EXCAVATING
7 E. Searsville Road
Montgomery, New York 12549

RESOLVED, that the following Certificate of
Registration be issued:

NO. 92-23 PETER BITTS EXCAVATING

On roll call the vote was as follows:

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

RESOLUTION NO. (142-1992)

RESCINDING RESOLUTION NO.
(933-91) REGARDING LOST
COUPON

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 933 adopted December 10,
1991, directing the Comptroller to authorize payment of a Lost
Coupon without presentation thereof which was detached from a
Refunding Serial Bond is hereby rescinded in view of the fact that
the coupon has been located and cancelled and the Sole Obligor
Indemnity Bond may be released.

On roll call the vote was as follows:

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

RESOLUTION NO. (143-1992)

REFUNDING SPLIT PAYMENT FEE
(SIKORA)

Continued on Next Page

RESOLUTION NO. (143-1992) Continued

WHEREAS, Peter and Janina Sikora of 16 Tamar Drive, Valley Cottage, paid both payments of their Town and County taxes before January 31, 1992,

NOW, THEREFORE, be it

RESOVED, that the Town Board hereby authorizes refunding the split payment fee of \$111.93 paid by Peter and Janina Sikora on property identified on the Clarkstown Tax Roll as Map 108, Block B, Lot 53.

On roll call the vote was as follows:

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

RESOLUTION NO. (144-92)

REQUESTING NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO INITIATE PROJECT FOR ROUTE 59, WEST NYACK

Co. Maloney offered and Co. Mandia seconded

WHEREAS, preliminary plans and a project initiation report have been prepared by Howard Lampert, Traffic Engineering Consultant to the Town, to widen Route 59 from Route 303 to Broome Boulevard in order to provide left turn lanes in this area, and

WHEREAS, the Town Board believes that this project will improve both traffic flow and traffic safety in the vicinity of the Hub Shopping Center and St. Thomas Lutheran Church,

NOW, THEREFORE, be it

RESOLVED, that the New York State Department of Transportation is hereby requested to initiate a project as described in the plans and project initiation report prepared by Howard Lampert.

On roll call the vote was as follows:

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

RESOLUTION NO. (145-92)

SETTING PUBLIC HEARING RE ROAD IMPROVEMENT PROJECT FOR PORTION OF MEDWAY AVENUE BETWEEN TREMONT AVENUE AND ROUTE 303, CONGERS, NEW YORK

Co. Mandia offered and Co. Smith seconded

WHEREAS, pursuant to Section 200 of the Town Law, the Town Board of this Town of Clarkstown wishes to consider the improvement of a portion of a street known as Medway Avenue,

Continued on Next Page

RESOLUTION NO. (145-1992) Continued

situated between Tremont Avenue and Route 303, Congers, New York. The improvements shall consist of pavement, curbs, gutters, catch basins and drainage facilities, benefitting properties shown on the Clarkstown Tax Map as Map 126, Block B, Lots 21, 22, 23, 25, 26, 27, 28, 29, 32, 36.02, 37.01, 38, 40, 42, and 44, being approximately 1,000 ft. in length and 40 ft. in width, and

WHEREAS, the maximum amount proposed to be expended for the road improvement shall be the sum of \$125,000.00;

NOW, THEREFORE, be it

ORDERED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on the 10th day of March, 1992, at 8:35 P.M., relative to the proposed road improvement project, and it is

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

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

On roll call the vote was as follows:

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

RESOLUTION NO. (146-1992)

SETTING PUBLIC HEARING RE:
CONSTRUCTION OF SEWER
IMPROVEMENTS WITHIN THE
MASTER BENEFITED SEWER
IMPROVEMENT AREA NO. 1

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown (herein called "Town Board" and "Town" respectively), in the County of Rockland, New York, has caused Charles R. Velzy Associates, Inc., competent engineers duly licensed by the State of New York, to prepare a general map, plan and report for the proposed construction consisting of the reconstruction of the Route 9W Pump Station including the excavation and demolition of the existing chambers, construction of a wet well and valve chambers and installation of submersible pumps (the "Sewer Improvement"), including buildings, land or rights in land, original furnishings, equipment, machinery, and apparatus required therefor, all within Master Benefited Sewer Improvement Area No. 1, which area has been determined to be the benefited area (herein designated and referred to as the "Sewer Improvement Area No. 1"), pursuant to Article 12-C of the Town Law, and which map, plan and report have been heretofore duly filed in the office of the Town Clerk for public examination;

WHEREAS, the Sewer Improvement Area No. 1, the benefited area within the Town, situate wholly outside of any

Continued on Next Page

RESOLUTION NO. (146-1992) Continued

village or city, is more particularly bounded and described as follows: All areas of the Town of Clarkstown outside of any village not included in Master Benefited Sewer Improvement Area No. 2 as more particularly shown on the Map of the Town of Clarkstown available for public inspection which is on file with the Town Clerk.

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is estimated to be \$150,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of special assessments from the several lots and parcels of land within the Sewer Improvement Area No. 1 which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which such Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable;

NOW, THEREFORE, be it

ORDERED, that the Town Board of the Town, meet and hold a public hearing at the Town Hall, 10 Maple Avenue, New City, New York, in the Town, on the twenty-fifth day of February, 1992, at 8:35 o'clock P.M. (Prevailing Time) to consider the construction of such Sewer Improvement within the Sewer Improvement Area No. 1, at which all persons interested in the subject thereof may be heard concerning the same, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "THE JOURNAL NEWS", a newspaper published in West Nyack, New York, having a general circulation in the Town, and hereby designated as the official newspaper of the Town for such publication, and post conspicuously on the bulletin board in the office of the Town Clerk, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day set and designated herein for said public hearing as aforesaid.

On roll call the vote was as follows:

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

RESOLUTION NO. (147-1992)

SCHEDULING PUBLIC HEARING
CONCERNING EXTENSION OF TKR
CABLE COMPANY AGREEMENT

Co. Maloney offered and Co. Mandia seconded

WHEREAS, TKR Cable Company has requested an extension of its franchise agreement term until February 15, 2002, and the execution of a new franchise agreement, and

WHEREAS, the Town Board of the Town of Clarkstown desires to have a hearing to elicit public comments concerning the extension of said franchise agreement and the terms of said new agreement;

NOW, THEREFORE, be it

Continued on Next Page

RESOLUTION NO. (147-1992) Continued

RESOLVED, that a public hearing on the proposed extension will be held on February 24, 1992 at 8:30 P.M., in the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, and a copy of the proposed franchise agreement will be on file in the Town Clerk's Office, 10 Maple Avenue, New City, New York, and available for public inspection between the hours of 9:00 A.M. and 5:00 P.M., and be it

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

On roll call the vote was as follows:

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: Violation Hearing - Map 88, Block D, Lot 3 - Nyack Society Evangelical Wesleyan Church, was continued, time: 10:15 P.M.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Violation Hearing - Map 88, Block D, Lot 3 - Nyack Society Evangelical Wesleyan Church, was adjourned until February 25, 1992, time: 10:20 P.M.

At this point Town Board recessed to go into Executive Session, time: 10:20 P.M. Town Board returned to the meeting at 10:31 P.M.

RESOLUTION NO. (148-1992)

AUTHORIZING SUPERVISOR TO EXECUTE AGREEMENT FOR ENVIRONMENTAL INVESTIGATION CONCERNING SAFETY KLEEN - CHARGE TO ACCOUNT NO. A 8730-409

Co. Maloney offered and Co. Smith seconded

WHEREAS, it has been proposed to do an environmental investigation concerning ground water quality in the area adjacent to the Safety Kleen Corporation premises at North Harrison Avenue, Congers, New York, and

WHEREAS, a proposal to do such investigation has been submitted by H2M Group, 999 Riverview Drive, Totowa, New Jersey, a copy of which is annexed hereto, and

WHEREAS, such environmental investigation would be of benefit to the health, safety and welfare of the citizens of the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement, for such environmental

Continued on Next Page

RESOLUTION NO. (148-1992) Continued

investigation, with H2M Group pursuant to the terms of such proposal, in an amount not to exceed \$7,840.00, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that such \$7,840.00 shall be charged to Account No. A 8730-409, and be it

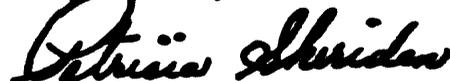
FURTHER RESOLVED, that test results be forwarded to the Town of Clarkstown Department of Environmental Conservation and the Rockland County Health Department for evaluation.

On roll call the vote was as follows:

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

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 Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 10:35 P.M.

Respectfully submitted



PATRICIA SHERIDAN,
Town Code

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TOWN OF CLARKSTOWN
CONTINUATION OF PUBLIC HEARING FROM JANUARY 14, 1992

Town Hall

2/11/92

10:15 P.M.

Present: Supervisor Holbrook
Council Members Maloney, Mandia and Smith
Councilman Dusanenko absent due to illness
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Re: Violation Hearing - Map 88, Block D, Lot 3 -
Nyack Society Evangelical Wesleyan Church

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the continuation of the public hearing was declared open. Town Attorney read the following from Code Inspector George Burton:

"My inspection of today revealed the following:

1. In the front yeard - a 20 cubic yard dumpster, sidewalk planks, a pile of sand and plywood, some loose household garbage and a Christmas tree.
2. In the rear and western side yard - various building materials, lawn mowers, windows, ladders, fence sections, cinder blocks, a pile of loose glass particles.

These materials are neatly stacked. I am also submitting photos of this lot taken last year and today for comparison purposes. With the exception of the dumpster, the glass particles and the loose household garbage this lot is relatively neat by community standards."

Town Attorney noted that this report of Mr. Burton was dated February 11, 1992.

Supervisor noted that Reverend Searles, Pastor of the church was in the audience. He said it was better than it was but he inquired if the Reverend could get rid of the dumpster, the glass particles, the loosehold garbage and the Christmas tree. Reverend Searles said he did not know what he calls household garbage. He said he has garbage cans there and he has a few sacks that he was taking out. He said he is very dissatisfied with the cooperation of the Code Inspector. He was instructed by Judge Edelstein to call him (the Reverend) and set a time when he would meet with him and discuss specifically what he wanted done. Reverend Searles said that Mr. Burton never called until the day before yesterday.

Supervisor said we can adjourn this until February 25th to see if this debris can be picked up by then without any action. We will give you two more weeks to get rid of the rest of it and the Christmas tree. Reverend Searles said he would like to know just what Mr. Burton wants him to get rid of. He said Mr. Burton would not discuss it with him when he was out there one day. He said he did not like this and has never been treated this way before in his life. Supervisor said we have pictures of the property. It is improved but rather than taking any precipitous action tonight we will have our Inspector go out on February 25th. We'll make that appointment to inspect the property during the day prior to the Town Board Meeting. This way you can have the property cleaned up for him and we can put this proceeding to rest. Reverend Searles said he would like to speak with Mr. Burton before that so he knows what to do.

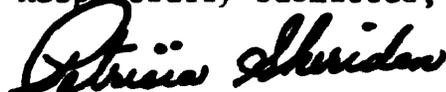
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PH -Violation Hearing - Map 88, Block D, Lot 3 - Nyack Society
Evangelical Wesleyan Church

It was decided that Reverend Searles would be given
until February 25th to clean up the property.

There being no one further wishing to be heard on
motion of Councilman Maloney, seconded by Councilman Mandia and
unanimously adopted, the public hearing was recessed until February
25, 1992.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk