

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/14/92

8:03 P.M.

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

Deputy Supervisor John Maloney announced that Councilwoman Smith would not be present this evening as she was ill at home with the flu. He stated that Supervisor Holbrook and Councilman Dusanenko would be arriving shortly. He led the Pledge of Allegiance. He opened the public portion of the meeting. Supervisor Holbrook and Councilman Dusanenko arrived shortly after the first speaker began his statement.

Appearance: Howard Hoehmann

Mr. Hoehmann spoke regarding zone change procedures and the increase in fees.

Appearance: James Cropsey
New City, NY

Mr. Cropsey spoke regarding

1. The Town Clean-up by volunteers and code enforcement.
2. Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Thomas Valenti
West Nyack, NY

Mr. Valenti spoke regarding Agenda Item #6 and is opposed to the rezoning. He stated tax benefits to the Town and submitted Freedom of Information forms.

Appearance: Mr. Jeff Sasson
Congers Civic Association
Congers, NY

Mr. Sasson spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid. He also spoke regarding the proposed dam on Congers Lake.

Appearance: Lucille Bifano
West Nyack, NY

Ms. Bifano spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Arlene Owen
Congers, New York

Ms. Owen spoke regarding the proposed Pyramid Mall; Tax Assessor; Town cars; and the Clerk of the Works.

Appearance: Daniel E. Bertolino, Esq.
Tracy, Bertolino & Edwards Esqs.
New City, NY

Mr. Bertolino spoke regarding Agenda Item 6 and is opposed to the rezoning of Pyramid. He spoke regarding opinion of Mr. Terry Rice, Esq. and how four affirmative votes are needed to change the zone.

Appearance: Barbara Zuyneburg
West Nyack, NY

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Ms. Zuyneburg spoke regarding Agenda Item 6 and is in favor of rezoning of Pyramid.

Appearance: Paul Adler
West Nyack, NY

Mr. Adler spoke regarding Agenda Item 6 and is opposed to the rezoning of Pyramid.

Appearance: John Lodico
New City, NY

Mr. Lodico spoke regarding:

1. Congers Lake dam. It was needed in the 70's.
2. Agenda Item #6 - He is opposed to rezoning.
3. Creating an Aquatic District for Lake Lucille.
4. Registering vehicles using the transfer station.

Appearance: Jerry Donnellan
Nanuet, NY

Mr. Donnellan spoke regarding the Town clean-up and urged the Town enforce the Code for violations on property that is not maintained.

Appearance: Daniel Cea
Congers, NY

Mr. Cea spoke regarding Town vehicles; Clerk of the Works; and background checks.

Appearance: John Cuff
West Nyack, NY

Mr. Cuff spoke regarding:

1. Agenda Item #6 and is opposed.
2. The Retirement Fund.
3. Landfill Fund.
4. Tax Assessor's car.
5. Town clean-up.

Appearance: Gillian Ballard
Historical Society

She spoke regarding Clarkstown being a sponsor for the Historic Preservation Society.

Appearance: Michael McQuaid
West Nyack

Mr. McQuaid spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Phil Bosco
West Nyack

Mr. Bosco spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Marie Broadly
President, Clarkstown Civic
Association
West Nyack

Ms. Broadly spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

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Appearance: Don Russo
New City

Mr. Russo spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Bonnie Schneider
West Nyack, NY

She spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

Appearance: Jim Boyle
New City, NY

He spoke regarding Agenda Item #6 and is in favor of rezoning for Pyramid.

RESOLUTION NO. (236-1992)

ACCEPTING MINUTES OF
TOWN BOARD MEETINGS OF
MARCH 10 AND MARCH 24,
1992

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the minutes of the meetings of March 10, 1992 and March 24, 1992 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (237-1992)

AUTHORIZING
CONSTRUCTION OF ROAD
IMPROVEMENT FOR
PORTION OF MEDWAY
AVENUE, CONGERS

Co. Maloney offered and Supv. Holbrook seconded

WHEREAS, by resolution adopted on October 22, 1991, on Motion of the Town Board of the Town of Clarkstown, the Director of Environmental Control was authorized to prepare plans and specifications and to make an estimate of expenses to establish a road improvement for premises fronting on a portion of Medway Avenue, Congers, New York, situated between Tremont Avenue and Route 303, for a frontage distance of approximately 1,000 feet, as indicated on the attached Schedule "A," and

WHEREAS by report dated February 3, 1992, the Director of Environmental Control duly presented to the Town Board an estimate of cost of the proposed project and detailed drawings depicting same, and

WHEREAS, by resolution adopted on February 11, 1992, the Town Board ordered that a public hearing be held on the 10th day of March, 1992, at 8:35 P.M., to consider the creation of such road improvement, and

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RESOLUTION NO. (237-1992) Continued

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider the matter of construction of said improvement, and heard all persons interested in the subject thereof, who appeared at such time and place concerning same, and

WHEREAS, the maximum amount proposed to be expended for the improvement as described in the estimate and plan of the Director of Environmental Control is \$125,000.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby determines from the evidence offered at the public hearing and all documents made part of the record that it is in the public interest to make the said improvement, and be it

FURTHER RESOLVED, that based upon the report of Robert Geneslaw, dated March 6, 1992, acting as staff to the Town Board as lead agency, the Town Board hereby determines that road improvement shall not have any significant impact on the environment and no further processing pursuant to State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown, does hereby authorize and approve the improvement of a portion of Medway Avenue, Congers, for a frontage distance of approximately 1,000 feet, as indicated on the attached Schedule "A," and be it

FURTHER RESOLVED, that the maximum amount to be expended for the said improvement is One Hundred and Twenty-Five Thousand (\$125,000.00) Dollars, and be it

FURTHER RESOLVED, that the Director of Environmental Control shall survey, or cause to be surveyed the above described portion of Medway Avenue, Congers, and establish the lines and grades thereof, and file copies of such survey and a profile of the grade in the office of the Town Clerk of the Town of Clarkstown, and be it

FURTHER RESOLVED, that the Director of Environmental Control is authorized and directed, after completion of the survey work described herein, to prepare definite plans and specifications, and with the assistance of the Town Attorney, to prepare a proposed contract for bidding pursuant to General Municipal Law, or in the alternative prepare the project plans for completion by the Department of Highway personnel, and thereafter to oversee the work required for such improvement, and be it

FURTHER RESOLVED, that the Director of Environmental Control is hereby authorized and directed to apportion the cost of the project for assessment against the benefitted parcels using a per front foot formula so that all parcels having primary access on Medway Avenue shall pay a rate which is one and one-half (1-1/2) times the rate paid by those parcels which do not have primary access to the improved road being constructed on Medway Avenue, and be it

FURTHER RESOLVED, that primary access be defined as the use of the said improved road for ingress and egress to property or to parking areas on property, and be it

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RESOLUTION NO. (237-1992) Continued

FURTHER RESOLVED, that pursuant to Section 200 (10) of the Town Law, this resolution shall be subject to Permissive Referendum, and be it

FURTHER RESOLVED, that the Town Clerk of the town of Clarkstown, shall within ten (10) days after the adoption of this Resolution cause a Notice to be published in full in the Rockland Journal News, a newspaper published in West Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law.

(Schedule A on file in Town Clerk's Office.)

Before roll call Councilman Dusanenko asked if, pursuant to a request from Councilwoman Smith, had the Supervisor's staff made any determination as to the legality of the Town participating in this road improvement? Supervisor Holbrook said the amount to be expended is up to \$125,000.00 and he believes with our highway forces it might not be absolutely necessary to spend that amount. However, from a legal point of view the Town cannot go in there and do the work. A survey was done of all the private roads in the Town in anticipation of the Town considering redoing those and it is just not legally feasible. The amount is an amount to spend up to but we do not have to spend that amount. Councilman Dusanenko said then if the amount spent is less, then those people who have certain assessments for that fifteen year period will be paying less. Supervisor said that is correct.

Councilman Dusanenko said he believed there were two plans, one allowing an adjacent restaurant owner to have a primary or secondary access. What was the consensus? Supervisor said he believed he was granted a secondary.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (238-1992)

SETTING PUBLIC HEARING
AND REFERRING TO
CLARKSTOWN PLANNING
BOARD AND ROCKLAND
COUNTY COMMISSIONER OF
PLANNING PROPOSED
AMENDMENT(S) TO ZONING
ORDINANCE OF TOWN OF
CLARKSTOWN - SECTION
106-32(D) -FEES

Co. Maloney offered and Co. Mandia 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

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RESOLUTION NO. (238-1992) Continued

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

Amend §106-32(D) to read as follows:

"D. (1) Fee. Every petition for a text amendment to this chapter shall be accompanied by a fee of Two Hundred Fifty Dollars (\$250.00), to help defray the cost of processing."

"D. (2) Fee. Every petition for an Amendment to the Zoning Ordinance shall be accompanied by a fee of Five Hundred Dollars (\$500.00), to help defray the cost of processing."

and be it

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

FURTHER RESOLVED, that 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 May 26, 1992, at 8:35 P.M., to consider the adoption of the proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, 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.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (239-1992)

SETTING PUBLIC HEARING
RE PROPOSED LOCAL LAW
ENTITLED "AMENDMENT TO
CHAPTER 47 (PURCHASING
DEPARTMENT OF) TOWN
CODE OF TOWN OF
CLARKSTOWN

Co. Maloney offered and Supv. Holbrook seconded

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 47 (PURCHASING, DEPARTMENT OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN

NOW, THEREFORE, be it

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RESOLUTION NO. (239-1992) Continued

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on April 28, 1992, at 8:45 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (240-1992)

REFERRING PETITION FOR CHANGE OF ZONE FROM R-15 TO LIO - MAP 164, BLOCK A, LOT 14 (HOPF ENTERPRISES, INC.) TO CLARKSTOWN PLANNING BOARD AND ROCKLAND COUNTY COMMISSIONER OF PLANNING AND SETTING PUBLIC HEARING RE SAME

Co. Maloney offered and Co. Mandia seconded

WHEREAS, HOPF ENTERPRISES, INC. has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from an R-15 District to an LIO District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 164, Block A, Lot 14;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, 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 May 26, 1992, at 8:40 P.M., relative to the proposed amendment, and be it

FURTHER RESOLVED, for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board

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RESOLUTION NO. (240-1992) Continued

determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review, and be it

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (241-1992)

TABLING AGENDA ITEM
NO. 6 REFERRING
PROPOSED CHANGE OF
ZONE FROM MRS DISTRICT
TO EITHER LIO DISTRICT
OR PED DISTRICT
(PYRAMID COMPANY) TO
CLARKSTOWN PLANNING
BOARD AND ROCKLAND
COUNTY COMMISSIONER OF
PLANNING

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Agenda Item No. 6 referring Proposed Change of Zone from MRS District to either LIO District or PED District (Pyramid Company) to the Clarkstown Planning Board and the Rockland County Commissioner of Planning is hereby tabled in order to have time to request from the Town Attorney and other attorneys opinions as to the legality of changing the zoning of the Pyramid properties, so this motion can be discussed at a workshop meeting.

Before roll call Councilman Mandia said rather than put this Town in financial jeopardy and create what he feels could be a dangerous precedent the most responsible thing that could be done here is to make sure that we are in full compliance with what the law really says. He stated that the Town Attorney had told him not more than an hour and a half ago there are some precedents in his office he still has to examine. He felt it would be a mistake to go forward at this point.

Councilman Maloney said the reason the Town Board took the action was that there were some changes and that is why we just didn't look the other way. Right now the Planning Board has been examining and having scoping sessions and there are supplemental environmental impact statements that Pyramid Mall people have to submit to the Planning Board and that process is still ongoing and the members of the Town Board are going to be looking at the results of those three areas of environment, traffic, and drainage. He said he thinks it would be premature to talk about a zone change until we get all the facts and until we see the content of the supplemental environmental impact statement that has to be submitted to the

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RESOLUTION NO. (241-1992) Continued

Planning Board and also to review all of the statements that have been made by the citizens who have attended the scoping sessions. He would support a tabling motion on this.

Councilman Dusanenko requested that the Town Attorney update us on any and all commitments made by Pyramid so that we have an itemized check list on this if it ever is approved. All parties to the operation will have the opportunity to review and monitor those commitments. He said new construction of off site improvements will be done prior to the construction of actual buildings and we should have the Town Attorney's input to that decision as well.

Councilman Mandia told Mr. Yacyshyn, Chairman of the Planning Board, that he would appreciate comments from him (Mr. Yacyshyn) and the Planning Board as to whether or not all of the conditions put forth by Mr. Chase of the County Planning Board at the time of the original recommendation to the Town have been met and are not violated by virtue of the changes that have been submitted.

Mr. Yacyshyn said as the process is ongoing, those conditions, some of which have been met, could be met, will be met, is the basis for our deliberations. Councilman Mandia asked will we get something from Mr. Chase or does that only go to the Planning Board? Mr. Yacyshyn said it will be coming to the Planning Board but that they would make it available to the Town Board at any time.

Supervisor Holbrook said he thinks it is timely that this be done. He certainly would not support a motion to table. He said there is no question that this project is far different from what was approved by a Town Board back in 1988. He said he understands that if the Town Board were to entertain a public hearing and ultimately reverse the zone it certainly would be subject to litigation but so is everything else the Town gets involved in. Litigation simply provides for case law. He said there are enough cases that are out there to indicate that the Town would be sustained and has justification to be sustained on this particular action. To say we are afraid of litigation or sending out some sort of mixed messages to areas outside of Clarkstown regarding businesses is not a valid one. Take a look at the businesses that have moved into Town recently - take a look at the Route 303 corridor in Congers with various businesses and I think you can see that Clarkstown is capable of attracting the type of businesses that are suitable for our Township. He said he thinks this particular zone, if it goes through and is ultimately built, will have a serious and a dramatic, deleterious effect upon the economics of the businesses in the hamlets which ultimately have been the backbone of the Town of Clarkstown over decades and beyond. He said he would ask the Town Clerk to call the roll on this tabling resolution but he would state that he thinks it is appropriate that we do proceed to set a date for a public hearing and not let it be interfered with by any sort of threats of litigation.

There was further discussion on this issue among the council members.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....No

RESOLUTION NO. (242-1992)

ASSESSING COSTS FOR
CHAPTER 111 PROCEEDING
(MAP 164, BLOCK A, LOT
16.01 - REICH)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, a proceeding pursuant to Chapter 111 (formerly Chapter 31) of the Code of the Town of Clarkstown was duly instituted against premises known and described on the Tax Map of the Town of Clarkstown as MAP 164 BLOCK A, LOT 16.01, and

WHEREAS, by Order of the Town Board, the Building Inspector was authorized and directed to take certain corrective measures regarding said premises, and

WHEREAS, the total cost for the proceeding and corrective measures is the sum of \$17,505.00;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized and directed to file a cancellation of L's Pendens filed in the Rockland County Clerk's Office on April 11, 1991, upon the payment of \$17,505.00 to reimburse the Town for the cost of the proceeding pursuant to the attached statement.

(Statement on file in Town Clerk's Office.)

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (243-1992)

AUTHORIZING SUPERVISOR
TO ENTER INTO LEASE
AGREEMENT WITH KOENIG
MANAGEMENT, LTD. -
CHARGE TO CAPITAL
ACCOUNT NO. H
1620-04-409

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown is in need of temporary office space for the Clarkstown Counseling Center, and

WHEREAS, it is proposed to rent Suite 302 located on the third floor of 120 North Main Street, New City, New York for the sum of \$1,600 per month for a three-month period commencing on April 1, 1992 and terminating on June 30, 1992.

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into a lease agreement with Koenig Management, Ltd., encompassing the aforesaid terms, in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the rent shall be charged to Capital Account No. H-1620-04-409, and be it

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RESOLUTION NO. (243-1992) Continued

FURTHER RESOLVED, that this Resolution shall be retroactive to April 1, 1992.

Before roll call Councilman Dusanenko asked when this was going to start? He said actual construction should start within thirty (30) days time.

On roll call the vote was as follows:

Councilman Dusanenko.....Abstain
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (244-1992)

CONCERNING
REORGANIZATION OF
EQUITABLE LIFE
ASSURANCE SOCIETY FROM
MUTUAL COMPANY TO
STOCKHOLDER OWNED
COMPANY (DEFERRED
COMPENSATION PLAN)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Deferred Compensation Plan of the Town of Clarkstown is administered by the Equitable Life Assurance Society (herein referred to as "Equitable"), and

WHEREAS, by letter of March 5, 1992, Equitable has indicated that the Board of Directors of Equitable has adopted a Plan of Reorganization to change from a mutual company to a stockholder owned company, and

WHEREAS, the Plan of Reorganization is submitted to the policyholders of Equitable for approval, and

WHEREAS, by viture of the Deferred Compensation Plan of the Town of Clarkstown, the Town of Clarkstown is identified as the policyholder of the Deferred Compensation Plan, and

WHEREAS, the Board of Directors of Equitable recommends a YES vote, and

WHEREAS, the Deferred Compensation Committee of the Town of Clarkstown has reviewed the proposal of the Reorganization of Equitable from a mutual company to a stockholder owned company and recommends approval of the Plan;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown as policyholder of the Deferred Compensation Plan of the Town of Clarkstown does hereby approve and vote YES for the Reorganization of Equitable from a mutual company to a stockholder owned company.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (245-1992)

AUTHORIZING TOWN
ATTORNEY TO DEFEND
PROCEEDING (GROSSO, ET
AL. V. REGAN, ET AL.)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against
the Town of Clarkstown entitled as follows:

In the Matter of the Application of

THOMAS GROSSO, KEVIN O'CONNOR,
MARTIN FARRELL and JOSEPH CLARK,

Petitioners,

-against-

EDWARD V. REGAN, as Comptroller of
the State of New York, THE NEW YORK
STATE POLICEMEN'S AND FIREMEN'S
RETIREMENT SYSTEM, WILLIAM J. COLLINS,
as Chief of Police of the Town of
Clarkstown Police Department and THE
TOWN OF CLARKSTOWN,

Respondents.

for an Order and Judgment declaring
certain sections of the Retirement
and Social Security law unconstitu-
tional as applied by the Respondents.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (246-1992)

AUTHORIZING FIRE LANE
DESIGNATIONS AT
TREETOP PLACE PHASE A
- (SECTION ONE - MAP
165, BLOCK B, LOT 1.45
THROUGH MAP 165, BLOCK
B, LOT 147)

Co. Dusanenko offered and Co. Mandia seconded

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

TREETOP CONDO'S PHASE A - SECTION ONE

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RESOLUTION NO. (246-1992) Continued

by the installation of fire lane designations, and

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (247-1992)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL FIRE HYDRANTS AT PARKER-NANUET ASSOCIATES, NANUET (PARKER BOULEVARD AND SMITH ROAD)

Co. Maloney offered and Co. Dusanenko seconded

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

- X-9153 1. West side of Parker Boulevard approximately 60 feet south of the center line of Smith Road.
- X-9154 2. North side of Parker Boulevard approximately 590 feet south of the center line of Smith Road.
- X-9155 3. North side of Parker Boulevard approximately 1,180 feet south of the center line of Smith Road.
- X-9156 4. North side of Parker Boulevard approximately 1,790 feet south of the center line of Smith Road.
- X-9157 5. North side of Parker Boulevard approximately 2,390 feet south of the center line of Smith Road.

Investigation No.: 10795

and be it

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RESOLUTION NO. (247-1992) Continued

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (248-1992)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL HYDRANTS AT TRALEE ESTATES (BLISS LANE CUL-DE-SAC AND GLEEFUL LANE CUL-DE-SAC AT CENTER LINE OF JOY DRIVE)

Co. Maloney offered and Co. Dusanenko seconded

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

1. West end of Bliss Lane Cul-de-sac approximately 665 feet west of the center line of Joy Drive.
2. West end of Gleeeful Lane Cul-de-sac approximately 540 feet west of the center line of Joy Drive.

Investigation No.: 10815

and be it

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

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (249-1992)

REQUESTING ROCKLAND COUNTY CONSORTIUM ALLOCATE FUNDS TO "HELP ME" A RESPITE HOUSE FOR PHYSICALLY HANDICAPPED

Co. Maloney offered and Co. Mandia seconded

WHEREAS, "Help Me," a respite house for the physically handicapped, has requested the allocation of

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RESOLUTION NO. (249-1992) Continued

\$10,000.00 of Rockland County Consortium (CDBG) funds in order to find a site in Rockland County, and

WHEREAS, such \$10,000.00 would be used for the following two purposes:

1. Providing the Minimum Capital Investment which HUD requires be available from a sponsor of a project. The sponsor must demonstrate access to the availability of these funds (MCI) when the application is first submitted for HUD approval.

2. Cover normal start up costs for: preparing the application for HUD, Section 811 funding; preparing concept level architectural plans for the proposed development; and securing options or commitments of site availability.

and

WHEREAS, such an allocation of funds to "Help Me," a respite house for the physically handicapped, would be in the best interest of the citizens of the Town of Clarkstown and the County of Rockland;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby requests that the Rockland County Consortium allocate the sum of \$10,000.00 to "Help Me," a respite home for the physically handicapped, for the aforementioned purposes.

Councilman Dusanenko said since this was received at the last Town Board meeting and since the Community Development Committee which advises you made this recommendation to this Town Board to use these funds he has received some phone calls from residents of "Help Me" in some existing facilities and he would like to know from "Help Me", before we set any actual funds for approval, how many vacancies exist. He said it is wonderful, necessary and needed. He said the Carpenters helped build that facility. He did want it clarified if there were vacancies there and if so for how long and how many? He said he would like to have the residents of the existing facility polled to know what their views are because they said they have trouble from the existing one now. He said he did not know if it was personalities or whatever but he would like input from the residents and the management prior to us actually voting some of these funds in the Legislature.

Supervisor said he met with a couple of residents there relative to this and he told them that the Town Board would probably recommend this to the consortium but if they are opposed to this they should contact the consortium and he thinks it would be killed there.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (250-1992)

REALLOCATING COMMUNITY
DEVELOPMENT FUNDS FROM
1989 AND 1990

Continue on Next Page

RESOLUTION NO. (250-1992) Continued

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that the Community Funds allocated in 1989 and 1990 for sidewalks are hereby reallocated to road improvements and street repaving.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (251-1992)

AUTHORIZING INCREASE IN
FEES FOR SITE PLAN
REVIEW BY CLARKSTOWN
PLANNING BOARD

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the authorization to establish review fees is derived from Local No. 5 of 1986, Sec. 246 of the Clarkstown Town Code, and

WHEREAS, an increase in fees is necessitated by increased costs and overhead, to bring the fee structure more in line with existing staff and consultants' review time, and

WHEREAS, the Town Board wishes to make certain that the proposed fee structure is equitable, legal, fair and adequate to meet the rising costs, and in order to maintain the quality of land use regulation and planning services;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes an increase in the fees for site plan review by the Clarkstown Planning Board, pursuant to Local Law No. 5 of 1986, as shown on the attached Schedule "A."

(Schedule "A" on file in Town Clerk's Office.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (252-1992)

AUTHORIZING INCREASE
IN FEES FOR
SUBDIVISION REVIEW BY
CLARKSTOWN PLANNING
BOARD

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the authorization to establish review fees is derived from Local Law No. 2 of 1987, Sec. 254 of Clarkstown Town Code, and

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RESOLUTION NO. (252-1992) Continued

WHEREAS, an increase in fees is necessitated by increased costs and overhead, to bring the fee structure more in line with existing staff and consultants' review time, and

WHEREAS, the Town Board wishes to make certain that the proposed fee structure is equitable, legal, fair and adequate to meet the rising costs, and in order to maintain the quality of land use regulation and planning services;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes an increase in the fees for subdivision review by the Clarkstown Planning Board, pursuant to Local Law No. 2 of 1987, Sec. 254 of the Town Code, as shown on the attached Schedule "A."

(Schedule "A" on file in Town Clerk's Office.)

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (253-1992)

AUTHORIZING
SUPERINTENDENT OF
HIGHWAYS TO MOVE
EXISTING "NO PARKING
SIGN" - EAST SIDE
LINDBERG LANE AND RED
HILL ROAD, NEW CITY

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to move the existing "No Parking Sign" located on the East side of Lindberg Lane and Red Hill Road, New City, New York, approximately sixteen (16) feet North of the stop line.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (254-1992)

AUTHORIZING
SUPERINTENDENT OF
HIGHWAYS TO INSTALL
"STOP SIGN" FAIRVIEW
COURT AT CONVENT ROAD,
NANUET

Co. Mandia offered and Co. Maloney 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:

Continued on Next Page

RESOLUTION NO. (255-1992) Continued

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (256-1992)

CANCELLING TOWN BOARD
RESOLUTION NO. 29-1992
CONCERNING
ADVERTISEMENT FOR
COMPETITIVE BIDS FOR
SECURITY GUARD SERVICES

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Town Board resolution No.29-1992 concerning the advertisement for competitive bids for Security Guard Services is hereby cancelled.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (257-1992)

CORRECTING TOWN BOARD
RESOLUTION NO.218-1992
REGARDING BID #32-1992
- COPIER/DUPLICATOR
FOR RECREATION/PARKS
DEPT. AT STREET
COMMUNITY CENTER AND
AUTHORIZING DIRECTOR
OF PURCHASING TO
READVERTISE FOR SAME

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Town Board resolution No. 218-1992 is hereby corrected to read:

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

BID #32-1992
COPIER/DUPLICATOR FOR RECREATION/
PARKS DEPT. AT STREET COMMUNITY CENTER

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, April 24, 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 Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (258-1992)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #33-1992 - WASHED
SAND AND GRAVEL

Co. Dusanenko offered and Co. Maloney seconded

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

BID #33-1992
WASHED SAND AND GRAVEL

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Thursday, April 30, 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 Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (259-1992)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #34-1992 - CAST
IRON CURB INLETS,
FRAMES & GRATES, ET AL

Co. Dusanenko offered and Co. Maloney seconded

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

BID #34-1992
CAST IRON CURB INLETS, FRAMES & GRATES, ET AL.

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, May 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 Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (260-1992)

AUTHORIZING DIRECTOR
OF PURCHASING TO
ADVERTISE FOR BIDS FOR
BID #35-1992 - PAPER &
PLASTIC SUPPLIES

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RESOLUTION NO. (260-1992) Continued

Co. Dusanenko offered and Co. Maloney seconded

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

BID #35-1992
PAPER & PLASTIC 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 Friday, May 8, 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 or Purchasing.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (261-1992)

AWARDING BIDS FOR BID #18-1992 - ARTS & CRAFTS SUPPLIES (J & A HANDY-CRAFTS, INC.; NEW ENGLAND SCHOOL SUPPLY; S & S ARTS & CRAFTS; CREATIVE CRAFTS INTERNATIONAL; ECONOMY HANDICRAFTS; VANGUARD CRAFTS; CERAMIC SUPPLY OF NEW JERSEY & NEW YORK; AND IMC NEEDLECRAFT, INC.

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, based upon the recommendation of the Director of Purchasing and in concurrence with the Superintendent of Recreation and Parks, that the bid for furnishing Arts & Crafts Supplies is hereby awarded to the following low bidders who have met the specifications:

J & A Handy Crafts, Inc.
165 S. Pennsylvania Ave.
Lindenhurst, NY 11757

New England School Supply
P.O. Box 1581
Springfield, MA 01101

S & S Arts & Crafts
Colchester, Connecticut 06415

Creative Crafts International
16 Plains Road
Essex, Connecticut 06426

Economy Handicrafts
50-21 69th Avenue
Woodside, NY 11377

Vanguard Crafts
1081 East 48th Street
Brooklyn, NY 11234

Ceramic Supply of New Jersey & New York
10 Dell Glen Lane
Lodi, NJ 07644

IMC Needlecraft, Inc.
Box 11
Garnerville, NY 10923

Continued on Next Page

RESOLUTION NO. (261-1992) Continued

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (262-1992)

AWARDING BID FOR BID
#23-1992 - REPLACEMENT
OF SEWAGE PUMPS AT
LAKEWOOD DRIVE PUMP
STATION - (ARTESIAN
WELL & EQUIPMENT CO.,
INC)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #23-1992
REPLACEMENT OF SEWAGE PUMPS AT
LAKEWOOD DRIVE PUMP STATION

is hereby awarded to:

Artesian Well & Equipment Co., Inc.
P.O. Box 157
12 Rochelle Avenue
Rochelle Park, N.J. 07662
Principals: G.B. Every; J.R. Every

as per their total low bid proposal of \$25,990.00.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (263-1992)

AWARDING BID FOR BID
#31-1992 -MOTOROLA MSF
5000 DIGITAL REPEATER
(JHW ENTERPRISES INC.)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #31-1992
MOTOROLA MSF 5000 DIGITAL REPEATER

is hereby awarded to

JHW Enterprises Inc
9204 South Eketo Ave
Bridgeview IL 60455

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RESOLUTION NO. (263-1992) Continued

Principals: James Watson
Lawrence Johnson
Kathleen Watson
Marlene Johnson

as per their low bid proposal of \$8995.00.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (264-1992)

AWARDING BID FOR BID
#24-1992 - ROUTE 9W
PUMP STATION
RECONSTRUCTION (T.L.S.
CONSTRUCTION)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #24-1992
ROUTE 9W PUMP STATION RECONSTRUCTION

is hereby awarded to

T.L.S. Construction Corp.
1 Lounsbury Road
Croton-on-Hudson, NY 10520

as per their low bid proposal of \$81,650.00, and be it

FURTHER RESOLVED, that said award is subject to
the execution of a formal contract as prepared by the Town
Attorney and the submission of a Performance and a Labor and
Material Payment Bond as prescribed in the bid specificaton.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (265-1992)

TRANSFER OF FUNDS
(VARIOUS ACCOUNTS)

WHEREAS, various accounts require additional
funding

NOW, THEREFORE, be it

RESOLVED, to transfer \$34,091.00 from Contingency
Account No. A 1990-505 to the following accounts:

Continued on Next Page

RESOLUTION NO. (265-1992) Continued

A 1110-204 (Justice Court - Office Machines).....	\$	4,379
A 3120-402 (Police - Rental of Equipment).....		10,000
A 1010-114 (Councilmen - Part-time).....		1,350
A 1220-438 (Supervisor - Maintenance Agreements)....		1,507
A 8511-409 (Community Beautification -Fees for Ser).		16,855

and be it

FURTHER RESOLVED, to decrease Appropriation Account No. A 1670-402 (Mail & Copy - Rental of Equipment) and increase Account No. A 1670-212 (Duplicating Equipment) by \$230, and be it

FURTHER RESOLVED, to amend Town Board Resolution No. 192 dated March 10, 1992 to authorize the Comptroller to increase Appropriation Account No. B 8110-203 (Sewer - Motor Vehicles) by \$14,526 and Revenue Account No. B 02 14 2999 (Unexpended Balance) by \$8,861 and transfer \$5,665 from Estimated Revenue Account No. CS 11 8 2680 (Liability Insurance - Insurance Recoveries).

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
 Councilman Maloney.....Yes
 Councilman Mandia.....Yes
 Supervisor Holbrook.....Yes

RESOLUTION NO. (266-1992)

DECREASING APPROPRIATION ACCOUNT NO. B 3620-201 (FURNITURE & FIXTURES) AND INCREASING APPROPRIATION ACCOUNT B 3620-438 (MAINTENANCE AGREEMENTS) - BUILDING DEPARTMENT

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Appropriation Account B 3620-438 (Maintenance Agreements) requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account B 3620-201 (Furniture & Fixtures) and increase Appropriation Account B 3620-438 by \$1,041.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
 Councilman Maloney.....Yes
 Councilman Mandia.....Yes
 Supervisor Holbrook.....Yes

RESOLUTION NO. (267-1992)

GRANTING SICK LEAVE OF ABSENCE TO LABORER - HIGHWAY DEPARTMENT (RICHARD IPPOLITO)

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RESOLUTION NO. (267-1992) Continued

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Richard Ippolito, 18 Westlyn Drive, Bardonia, New York, Laborer - Highway Department - is hereby granted a Sick Leave of Absence - at one-half pay - effective and retroactive to March 27, 1992 to April 27, 1992.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (268-1992)

GRANTING SICK LEAVE OF
ABSENCE TO LABORER -
HIGHWAY DEPARTMENT
(CHARLES F. CONNINGTON)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Charles F. Connington, 212G Lake Road, Valley Cottage, New York - Laborer - Highway Department - is hereby granted an extension of his Sick Leave of Absence - at one-half pay - effective April 21, 1992 to May 21, 1992.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (269-1992)

AUTHORIZING TOWN BOARD
TO ALLOCATE FUNDS TO
SPONSOR 1992 HISTORIC
PRESERVATION MERIT
AWARDS OF HISTORICAL
SOCIETY OF ROCKLAND
COUNTY - CHARGE TO
ACCOUNT NO. A 7520-419

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Historical Society of Rockland County is holding its second annual Historic Preservation Merit Awards Program. The awards will be presented in recognition of outstanding historic preservation efforts in Rockland County, and

WHEREAS, the Historical Society of Rockland County has requested the Town of Clarkstown to partially sponsor this event in the amount of \$1,000.00, and

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RESOLUTION NO. (269-1992) Continued

WHEREAS, the Town Board of the Town of Clarkstown believes that the 1992 Historic Preservation Merit Awards Program is a worthy cause;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the expenditure of \$1,000.00 to cover the partial sponsorship of the 1992 Historic Preservation Merit Awards Program by the Historical Society of Rockland County, and be it

FURTHER RESOLVED, that the fee for such program shall be charged to Account No. A-7520-419.

On roll call the vote was as follows:

- Councilman Dusanenko.....Yes
- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (270-1992)

SETTING PUBLIC HEARING
ON PROPOSED LOCAL LAW
ENTITLED "AMENDMENT TO
CHAPTER 226
(RECYCLING) OF THE
TOWN CODE OF THE TOWN
OF CLARKSTOWN

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Councilman Maloney, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 226 (RECYCLING) OF
THE TOWN CODE OF THE TOWN OF CLARKSTOWN

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on May 12, 1992, at 8:30 P.M. or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the Journal News, the official newspaper of the Town of Clarkstown and posted in the manner provided by law, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of said hearing and that the Town Clerk cause the same to be published and posted as aforesaid and file proof thereof in the office of the said Clerk, and be it

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

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RESOLUTION NO. (270-1992) Continued

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (271-1992)

RESCINDING RESOLUTION
NO. (46-1992)
AUTHORIZING SUPERVISOR
TO ACCEPT DECLARATION
OF COVENANT BY TOLSTOY
FOUNDATION

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Resolution No. 46 of 1992,
authorizing the Supervisor of the Town of Clarkstown to accept
on behalf of the Town a Declaration of Covenant made by Tolstoy
Foundation, Inc., is hereby rescinded as it has been determined
that said Declaration is not required.

On roll call the vote was as follows:

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (272-1992)

GRANTING CERTIFICATES
OF REGISTRATION
PURSUANT TO SECTION
83-65 OF TOWN CODE -
92-27 TO JAMISONS
ASSOCIATES, INC. AND
NO. 92-28 TO ROBERT
ROY CHAMPEAU, INC.
D/B/A RR CONSTRUCTION

Co. Dusanenko offered and Co. Maloney seconded

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

JAMISONS ASSOCIATES, INC.
7 Kinderkamack Road
Montvale, New Jersey 07645

ROBERT ROY CHAMPEAU, INC.
D/B/A RR CONSTRUCTION
57 Congers Road
New City, New York 10956

RESOLVED, that the following Certificates of
Registration be issued:

No. 92-27 JAMISONS ASSOCIATES, INC.
No. 92-28 ROBERT ROY CHAMPEAU, INC.
D/B/A RR CONSTRUCTION

On roll call the vote was as follows:

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RESOLUTION NO. (272-1992) Continued

Councilman Dusanenko.....Yes
Councilman Maloney.....Yes
Councilman Mandia.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (273-1992)

REFERRING PROPOSED
ZONE CHANGES (TOWN'S
OWN MOTION) TO
CLARKSTOWN PLANNING
BOARD AND ROCKLAND
COUNTY COMMISSIONER OF
PLANNING (VARIOUS
PARCELS)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board, on its Own Motion, recommends that the Zoning Ordinance of the Town be amended by redistricting the following properties:

1. Redistrict property owned by Bradco Realty Corp., Map 165, Block A, Lot 3.02 - from an LIO District to an R-15 District;
2. Redistrict property owned by Joseph McClelland, Map 164, Block A, Lot 4 - from an R-22 District to an MF-2 District;
3. Redistrict property owned by Nancy Thomas, Map 164, Block A, Lot 4.01 from an R-22 District to an MF-2 District;
4. Redistrict property owned by Howard Mehrtens, Map 164, Block A, Lot 4.02 - from an R-22 District to an MF-2 District;

NOW, THEREFORE, be it

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

FURTHER RESOLVED, 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 April 28, 1992, at 8:30 P.M., relative to the proposed amendment, and be it

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

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RESOLUTION NO. (273-1992) Continued

directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows:

Councilman Dusanenko.....	No
Councilman Maloney.....	Yes
Councilman Mandia.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (274-1992)

APPOINTING TO POSITION
OF DATA ENTRY OPERATOR
I (GRADE 16) -
COMPTROLLER'S OFFICE
(PENNI SCACCIO)

Co. Maloney offered and Co. Mandia seconded

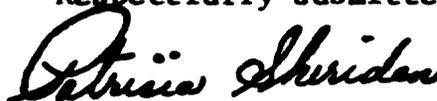
RESOLVED, that Penni Scaccio, 191 South Little Tor Road, New City, New York is hereby appointed to the position of Data Entry Operator I (Grade 16) - Comptroller's Office - at the annual 1992 annual salary of \$18,538.00, effective April 15, 1992.

On roll call the vote was as follows:

Councilman Dusanenko.....	Yes
Councilman Maloney.....	Yes
Councilman Mandia.....	Yes
Supervisor Holbrook.....	Yes

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 10:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk