

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall 9/27/93 8: 00 P.M.

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

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

Supervisor declared public portion of the meeting open.

Appearance: Mr. Russell Trojan
Nanuet, New York

Mr. Trojan spoke regarding (1) water rate increase and requested Town send representative to Public Service Commission meeting to oppose this; (2) requested elimination of some code enforcerment positions - they could be picked up by the county and retrained for country-wide assessment; (3) discussed false alarms; and (4) discussed Pyramid and questioned how bridges could be built after Pyramid opens and asked for pedestrian bridge across Route 59.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein asked how county-wide assessment was to be paid for? Supervisor said it would be paid for by the County and implemented by the Town.? It was stated that hopefully this would be done next year.

RESOLUTION NO. (683-1994)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Town Board Minutes of September 13, 1994 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (684-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town Board, on its own motion, shall consider Amending the Zoning Ordinance of the Town by redistricting property known as Clarkstown Executive Park, Lot 4, which is designated on the Clarkstown Tax Map as Map 124, Block C, Lot 55, from an LIO District to an MF-2 District, and

WHEREAS, Lot 4, Subdivision of Clarkstown Executive Park Section 2 and 3, was filed in the Rockland County Clerk's office on March 21, 1986, in Book 105, at Page 18, as Map No. 5861;

NOW, THEREFORE, be it

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RESOLUTION NO. (684-1994) Continued

RESOLVED, that on the Motion of the Town Board of the Town of Clarkstown this Resolution proposing a change of zone from an LIO District to an MF-2 District on property designated on the Clarkstown Tax Map as Map 124, Block C, Lot 55, is hereby referred to the Clarkstown Planning Board for report pursuant to Section 106-32 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (685-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town Board, on its own motion, shall consider Amending the Zoning Ordinance of the Town by redistricting property known as Clarkstown Executive Park, Lot 4, which is designated on the Clarkstown Tax Map as Map 124, Block C, Lots 42 and 55, from an LIO District to an MF-2 District, and

WHEREAS, Lot 4 of filed Subdivision of Clarkstown Executive Park, Sections 2 and 3, was filed in the Rockland County Clerk's Office on March 21, 1986, in Book 105, at Page 18, as Map No. 5861;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on November 15, 1994, at 8:40 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.

On roll call the vote was as follows:

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

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RESOLUTION NO. (686-1994)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, MOUNTAIN SHADOW COMPANY, has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner, from an LO District to an MF-2 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 129, Block A, Lot 2;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on October 25, 1994 at 8:35 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (687-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown has determined that it will be to the mutual benefit of the Towns of Clarkstown and Ramapo to provide a method whereby sanitary sewer service can be furnished to properties in the adjacent Town through the use of each others respective facilities when such service cannot be practically provided by facilities wholly within one Town, and

WHEREAS, an agreement between the Town of Clarkstown and the Town of Ramapo shall provide such sanitary sewer services on a reciprocal basis;

NOW, THEREFORE, be it

RESOLVED, the Town Board of the Town of Clarkstown hereby authorizes and directs the Supervisor to enter into an agreement, in a form approved by the Town Attorney, conditional upon the approval of said agreement by the Town Board of the Town of Ramapo, and be it

FURTHER RESOLVED, that said agreement shall provide that it may be terminated upon prior written notice of 180 days.

On roll call the vote was as follows:

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RESOLUTION NO. (687-1994) Continued

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

RESOLUTION NO. (688-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, New Valley Construction Corp. has tendered Bond No. 023001679 of the Amwest Surety Insurance Company, Albany, New York, in the amount of \$56,680.00 to secure the installation of the public improvements in the subdivision known as "McGaw's Hill", dated July 28, 1994, filed in the Rockland County Clerk's Office on August 25, 1994 as Map No. 6832 in Book No. 115 at Page 65, and

WHEREAS, said bond is intended to replace a cash deposit in the amount of \$56,680.00 paid by Nancy R. McGaw and Bruce McGaw;

NOW, THEREFORE, be it

RESOLVED, that Bond No. 023001679 is hereby accepted in place of the cash security deposit; and said deposit is ordered released to Nancy R. McGaw and Bruce McGaw.

Before roll call Councilman Dusanenko remarked that recently the Town uncovered a situation where the Town had a letter of credit which someone in the Town forgot to take care of and we are on the hook in excess of \$20,000.00. In this day and age with financial institutions as well as bonding companies have been known to go out of business. Why do we want to give up cash and go into something that is less solid? In answer to a question from the Supervisor, Town Attorney said that the surety is Amwest Surety Insurance Company of Albany, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (689-1994)

Co. Maloney offered and Co. Smith seconded

RESOLVED, Michele Paradiso of the Clarkstown Counseling Center attend conference on Core Issues Therapy Workshop to be held on Friday, September 30th, 1994.
Registration Fee: \$35.00

On roll call the vote was as follows:

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

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RESOLUTION NO. (690-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the Town Board of the Town of Clarkstown, on its own motion, shall consider amending the Zoning Ordinance of the Town of Clarkstown, by redistricting properties designated on the Clarkstown Tax Map as Map 88, Block A, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21 and 22, from an R-15 District to an L10 or M District, which properties are located near Pine View Road, West Nyack, New York;

NOW, THEREFORE, be it

RESOLVED, that on the Motion of the Town Board of the Town of Clarkstown this Resolution proposing a change of zone from an R-15 District to an L10 or M District on property designated on the Clarkstown Tax Map as Map 88, Block A, Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21 and 22 is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33 of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

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

FURTHER RESOLVED, that 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 November 15, 1994, at 8:35 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.

On roll call the vote was as follows:

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

RESOLUTION NO. (691-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Farice Construction Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 14, Block E, Lot 1 for the years 1991/92, 1992/93, 1993/94 and 1994/95, and

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RESOLUTION NO. (691-1994) Continued

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl A. Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$750.00, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to August 9, 1994.

On roll call the vote was as follows:

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

RESOLUTION NO. (692-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Stipe Realty Corp. has commenced tax certiorari proceedings against the Town of Clarkstown affecting Map 71, Block A, Lot 4 for the years 1991/92, 1992/93 and 1993/94, and

WHEREAS, it is desirable to have a trial appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such trial appraisal at a fee not to exceed \$2,500.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (693-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, Time Equities has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 57, Block F, Lot 5 for the years 1990/91, 1991/92, 1992/93 and 1993/94, and

WHEREAS, it is desirable to have a preliminary appraisal prepared for the purpose of negotiating and/or trying the aforesaid matter;

NOW, THEREFORE, be it

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RESOLUTION NO. (693-1994)

Co. Maloney offered and Co. Smith

RESOLVED, that Karl Kirchner be retained for the purpose of preparing such preliminary appraisal at a fee not to exceed \$2,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (694-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Department of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to MICHAEL & DEBRA GARVEY, for property situate on the north side of Central Avenue and the east side of Beacon Street, Congers, New York, as shown on a survey dated January 13, 1994, prepared by Atzl, Scatassa & Zigler, P.C., more specifically designated on the Clarkstown Tax Map as Map 114, Block A, Lot 31 provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and shall provide:

1. That the property owner shall acknowledge that no Town services, including but not limited to maintenance, paving or snow removal shall be provided along Central Avenue, Congers, New York.

2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street adjacent to said premises, when and if required by the Town Board of the Town of Clarkstown.

3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Central Avenue, to fifty (50') feet in width.

4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.

5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall perform the following work to the satisfaction of the Department of Environmental Control of the Town of Clarkstown:

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RESOLUTION NO. (694-1994) Continued

1. Extend the existing gravel road to a minimum width of 16 feet up to the proposed driveway.
2. Construct pull-over areas to enable vehicles to pass.
3. Pave Central Avenue to a length of 25 ft. to 50 ft. from Old Haverstraw Road.
4. Improve site distance at the intersection of Old Haverstraw Road and Central Avenue prior to the issuance of a building permit.

On roll call the vote was as follows:

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

RESOLUTION NO. (695-1994)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law and pursuant to the recommendations of the Department of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to Charles B. Smyth Jr, for property situate on the south side of Stanley Road, New City, New York, as shown on a survey dated July 1, 1994, prepared by Atzl, Scatassa & Zigler, P.C., more specifically designated on the Clarkstown Tax Map as Map 168, Block A, Lot 24 provided, however, the certified record owner shall be required prior to the issuance of such Building Permit to execute and record a Declaration of Covenant, in a form satisfactory to the Town Attorney, which shall run with the land and shall provide:

1. That the property owner shall acknowledge that no Town services, including but not limited to maintenance, paving or snow removal shall be provided along Stanley Road, New City, New York.
2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street adjacent to said premises, when and if required by the Town Board of the Town of Clarkstown.
3. That the property owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown or its designee any interest of the property owner in any mapped street fronting the premises to the designated street line to accomplish the widening of such mapped street, including Stanley Road, to fifty (50') feet in width.
4. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.
5. That the Certificate of Occupancy issued for said premises shall be conditioned upon and subject to

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RESOLUTION NO. (695-1994) Continued

observance of the Declaration of Covenant provided herein, and be it

FURTHER RESOLVED, that prior to the issuance of a Certificate of Occupancy for the subject premises, the owner shall:

1. Restore Rheinlander Lane and Stanley Road to the satisfaction of the Department of Environmental Control, during and after construction.
2. Pave the proposed driveway for Lot No. 2.
3. Clean and regrade the existing driveway swale along the easterly property lines to the satisfaction of the Department of Environmental Control.
4. Submit a detailed grading plan and an erosion and sediment control plan to the Department of Environmental Control prior to the issuance of a building permit.

On roll call the vote was as follows:

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

RESOLUTION NO. (696-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DUTCH LANE ASSOCIATES and DUTCH LANE REALTY CORP., Successor v. The ASSESSOR of the TOWN OF CLARKSTOWN, The BOARD OF ASSESSMENT REVIEW of the TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, Index Nos. 7976/91, 7762/92 and 4340/93, affecting parcel designated as Map 7, Block B, Lot 10.04, for the years 1991/92, 1992/93 and 1993/94, and

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

1. That the assessment on the premises owned by the petitioners described on the assessment roll as Map 7, Block B, Lot 10.04 be reduced for the year 1991/92 from \$1,550,000 to \$635,400;
2. That the assessment on the premises owned by the petitioners described on the assessment roll as Map 7, Block B, Lot 10.04 be reduced for the year 1992/93 from \$1,550,000 to \$638,300;
3. That the assessment on the premises owned by the petitioners described on the assessment roll as Map 7, Block B, Lot 10.04 be reduced for the year 1993/94 from \$1,550,000 to \$708,400;

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RESOLUTION NO. (696-1994) Continued

4. That reimbursement for the years 1991/92, 1992/93 and 1993/94 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged;

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (697-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, WEST CLARKSTOWN PROFESSIONAL CENTER v. The ASSESSOR of the TOWN OF CLARKSTOWN, The BOARD OF ASSESSMENT REVIEW of the TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, Index Nos. 6705/91, 5823/92, 4358/93 and 4937/94, affecting parcel designated as Map 166, Block A, Lot 11.1, for the years 1991/92, 1992/93, 1993/94 and 1994/95, 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 on the premises owned by the petitioner described on the assessment roll as Map 166, Block A, Lot 11.1 be reduced for the years 1991/92 and 1992/93 from \$1,160,500 to \$1,015,500;

2. That the assessment on the premises owned by the petitioner described on the assessment roll as Map 166, Block A, Lot 11.1 shall remain unchanged for the years 1993/94 and 1994/95;

3. That reimbursement for the years 1991/92 and 1992/93 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged;

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RESOLUTION NO. (697-1994) Continued

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (698-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, 493-499 SOUTH MAIN CONDOMINIUM ARTHUR PRICE v. The ASSESSOR of the TOWN OF CLARKSTOWN, The BOARD OF ASSESSMENT REVIEW of the TOWN OF CLARKSTOWN and the TOWN OF CLARKSTOWN, Index Nos. 6693/91, 8277/92, 4343/93 and 4923/94, affecting parcel designated as Map 56, Block E, Lots 1, 2, 3 and 4, for the years 1991/92, 1992/93, 1993/94 and 1994/95, 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 on the premises owned by the petitioners described on the assessment roll as Map 56, Block E, Lots 1, 2 and 3 be reduced for the years 1991/92 and 1992/93 from \$170,000 to \$136,900;
2. That the assessment on the premises owned by the petitioner described on the assessment roll as Map 56, Block E, Lot 4 shall remain unchanged for the years 1991/92 and 1992/93;
3. That the assessment on the premises owned by the petitioners described on the assessment roll as Map 56, Block E, Lots 1, 2, 3 and 4 be reduced for the year 1993/94 from \$170,000 to \$144,500;
4. That the assessment on the premises owned by the petitioners described on the assessment roll as Map 56, Block E, Lots 1, 2, 3 and 4 be reduced for the year 1994/95 from \$170,000 to \$149,600;

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RESOLUTION NO. (698-1994) Continued

5. That reimbursement for the years 1991/92, 1992/93, 1993/94 and 1994/95 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 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 Clarkstown.

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (699-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, NED BESSO v. THE ASSESSOR, THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index Nos. 4512/92, 3905/93 and 3576/94, affecting parcel designated as Map 106, Block A, Lot 8, for the years 1992/93, 1993/94 and 1994/95, 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 premises owned by the petitioner described on the assessment roll as Map 106, Block A, Lot 8 be reduced for the years 1992/93 and 1993/94 from \$2,334,800 to \$1,599,000;

2. That the premises owned by the petitioner described on the assessment roll as Map 106, Block A, Lot 8 be reduced for the year 1994/95 from \$2,334,800 to \$1,537,500;

3. That reimbursement for the years 1992/93, 1993/94 and 1994/95 on the parcel described as Map 106, Block A, Lot 8 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged;

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RESOLUTION NO. (699-1994) Continued

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (700-1994)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, BOB GILBERT'S SINGERS CATERER'S, INC. v. THE ASSESSOR, THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index Nos. 3906/93 and 3577/94, affecting parcel designated as Map 6, Block C, Lot 8.1, for the years 1993/94 and 1994/95, 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 premises owned by the petitioner described on the assessment roll as Map 6, Block C, Lot 8.1 be reduced for the years 1993/94 and 1994/95 from \$2,000,000 to \$1,700,000;
2. That reimbursement for the years 1993/94 and 1994/95 on the parcel described as Map 6, Block C, Lot 8.1 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;
3. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

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

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RESOLUTION NO. (700-1994) Continued

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.

On roll call the vote was as follows:

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

Councilman Mandia noted that there are tax certiorari proceedings and settlements at every meeting. He said we all saw what Orangetown went through and he thought we should request of the Assessor or Comptroller, whoever is appropriate, to give us a report on how this is affecting us. He said he knows it affects the school districts much more than -- Supervisor said it affects everything but fortunately it has been handled a little bit differently here. He said he thought Mr. Longo could provide better information. Mr. Longo, Assessor, said that information is provided to the Town Attorney's Office. We know of the impact on the schools, on the Town and on the County when we sit down and negotiate. Councilman Dusanenko asked for a year to date summary of the certioraris that affect us. Mr. Longo said we can do that but he could assure the Board that it is no where near the magnitude of Orangetown's.

RESOLUTION NO. (701-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the Director of Purchasing that all proposals received for

BID #36-1994
CORRUGATED HIGH DENSITY POLYETHYLENE PIPE

are hereby rejected, and be it

FURTHER RESOLVED, that Town requirements for this item can be satisfied by use of N.Y. State contract.

On roll call the vote was as follows:

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

RESOLUTION NO. (702-1994)

Co. Dusanenko offered and Co. Maloney seconded

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RESOLUTION NO. (702-1994) Continued

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

BID #1-1995
STATIONERY & OFFICE SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on October 27, 1994 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (703-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #2-1995
PHOTOCOPIER/FACSIMILE MACHINE 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 October 24, 1994 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
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (704-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #3-1995
PRINTING OF TOWN STATIONERY & ENVELOPES

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RESOLUTION NO. (704-1994) Continued

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 October 19, 1994 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
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (705-1994)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that Town Board Resolution #643-1994 is hereby corrected to read,

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

BID #40-1994
COMPUTER/WORD PROCESSING SUPPLIES

is hereby awarded to

ADVANTAGE BUSINESS PROD
3 Cross Street
Suffern, NY 10901
PRINCIPALS: TAMARA BRISK
SAM SCHWED
JUDITH SCHWED

CAMBRIDGE DATA SUPPLIES
75 Montebello Road
Suffern, NY 10901
PRINCIPALS: JOHN CONNOLLY
ANN M. CONNALLY

MANHATTAN STATIONERY
3010 Westchester Ave.
Purchase, NY 10577
PRINCIPAL: HARVEY ARONOF

HOLLAND BUSINESS SERVICE
13 Tamarac Ave.
New City, NY 10956
PRINCIPALS: ROBERT HOLLAND
SHERYL HOLLAND

SUMMIT OFFICE PROD
66 Brockway Place
White Plains, NY 10602
PRINCIPAL: PUBLIC CORPORATION

BOUTONS BUSINESS MACHINES
95 Route 304
Nanuet, NY 10954
PRINCIPAL: JOHN MAIORANO

Specifications on file in town Clerk's Office

On roll call the vote was as follows:

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

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RESOLUTION NO. (706-1994)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that based upon the Director of DEC, and the Consulting Engineer that

BID #47-1994
POLLY'S LANE AND DR. DAVIES ROAD
SANITARY SEWER CONSTRUCTION MBSIA #2

is hereby awarded to

VICTOR P. ZUGIBE, INC.
66 Railroad Avenue
Garnerville, NY 10923
PRINCIPALS: VICTOR P. ZUGIBE, JR.
MARIE ZUGIBE

as per their low bid proposal of \$118,455.00, and be it

FURTHER RESOLVED, that said award is subject to the following:

- (1) Execution of formal contract between the town and the successful bidder
- (2) Submission of a Performance Bond and a Labor and Material Payment Bond, each for 100% of the award
- (3) Certificates of Insurance as specified in Section 36 of the General Condition in bid specifications

On roll call the vote was as follows:

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

RESOLUTION NO. (707-1994)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that based upon the recommendation of the Supertindent of Highways and the Town Traffic & Highway Engineering Consultant that

BID #48-1994
RESURFACING AND SIDEWALK IMPROVEMENTS ON OLD
HAVERSTRAW ROAD

is hereby awarded to

ARGENIO BROS., INC.
P.O. Box 2068
Ruseilli Road
Newburgh, NY 12550
PRINCIPALS: GENARO J. ARGENIO
GENARO A. ARGENIO
ANDREW J. ARGENIO
ALBERT A. ARGENIO

as per their low bid proposal of \$147,664.00, and be it

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RESOLUTION NO. (707-1994) Continued

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following:

- 1) Signed Contract Document
- 2) Performance Bond
- 3) Labor & Materials Payment Bond
- 4) Certificate of Contractors Public Liability, Property Damage and Vehicle Liability Insurance
- 5) Certificate of Workers Compensation Coverage

On roll call the vote was as follows:

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

RESOLUTION NO. (708-1994)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that based upon the recommendation of the Superintendent of Highways and the Town Traffic & Highway Engineering Consultant that

BID #49-1994
 RESURFACING OF SOUTH MOUNTAIN ROAD, NEW CITY

is hereby awarded to

RITANGELA CONSTRUCTION CORP.
 176 Route 304
 PO Box 9153
 Bardonia, NY 10954
 PRINCIPALS: NICK F. BADAMI
 RITA C. BADAMI
 ANGELA V. BADAMI
 CARLA WHITTLE
 PATRICE BADAMI

as per their low bid proposal of \$230,575.00, and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following:

- 1) Signed Contract Document
- 2) Performance Bond
- 3) Labor & Materials Payment Bond
- 4) Certificate of Contractors Public Liability, Property Damage and Vehicle Liability Insurance
- 5) Certificate of Workers Compensation Coverage

On roll call the vote was as follows:

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

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RESOLUTION NO. (709-1994)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that based upon the recommendation of the Town Traffic Engineering Consultant, and the Utility Services Coordinator that

BID #50-1994
INSTALLATION OF TRAFFIC SIGNAL POLES AT
PASCACK ROAD AND OLD NYACK TURNPIKE, NANUET

is hereby awarded to

BYRON ELECTRIC CO. INC.
1030 MAMARONECK AVENUE
MAMARONECK, NY 10543
PRINCIPAL: MARY T. BROWNE

as per their low bid proposal of \$14,472.50, and be it

FURTHER RESOLVED, that said award is subject to the receipt of the following from the successful bidder:

- 1) Performance Bond - 100% of award
- 2) Labor & Materials Payment Bond - 100% of award
- 3) Certificate of Liability and Workers Compensation Insurance coverage. The Town shall be named as a co-insured on the policies

On roll call the vote was as follows:

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

RESOLUTION NO. (710-1994)

Co. Mandia offered and Co. Dusanenko

RESOLVED, that based upon the recommendation of the Director of Department of Environmental Control that

BID #48-1993
SOUTH MOUNTAIN ROAD RETAINING WALL

is hereby awarded to

ENVIRONMENTAL CONSTRUCTION, INC.
P.O. BOX 563
STONY POINT, N.Y. 10980
PRINCIPAL: SUSAN A. RAMOS

as per their proposed project cost of \$160,475.55 plus an additional \$6,560.00 for alternate #2, and be it

FURTHER RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following

- a) Signed Contract Forms
- b) Performance Bond
- c) Labor and Materials Payment Bond
- d) Certificate of Contractors Liability and Workers Compensation Insurance Coverage

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RESOLUTION NO. (710-1994) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (711-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, to transfer \$4,300.00 from Reserve Account A 0890 (Seized and Forfeited Property) to the following accounts:

A 3120-404 (Travel, Mileage and Meals).....	\$1,500.00
A 3120-414 (Schools and Conferences).....	\$2,800.00

On roll call the vote was as follows:

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

RESOLUTION NO. (712-1994)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, to increase Solid Waste petty cash by \$50.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (713-1994)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the following account requires additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Appropriation Account A 1640 406 (Vehicle Repairs) and increase Appropriation Account A 1640 111 (Overtime) by \$800.00.

On roll call the vote was as follows:

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RESOLUTION NO. (713-1994) Continued

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

RESOLUTION NO. (714-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to install street identification signs at the intersection of Rockland Lake Road and Route 9W, Valley Cottage, New York, and at the intersection of Rockland Lake and Route 9W, Congers, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (715-1994)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes a street name change from "Rockland Lake Road " to "Lake Road," at the intersection of New Lake Road to Route 9W, Valley Cottage, New York, to facilitate the E911 system, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Highway Superintendent to take notice of this resolution and make appropriate changes in the street signs, and that the Town Clerk forward a copy of this resolution to the following: the School District, the Fire Department, the Ambulance Corps and the Clarkstown Police Dept.

On roll call the vote was as follows:

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

RESOLUTION NO. (716-1994)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes and directs the Superintendent of Highways to repair potholes that exist on Miriam Place, New City, New York.

On roll call the vote was as follows:

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RESOLUTION NO. (716-1994) Continued

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

RESOLUTION NO. (717-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, the Town Board is interested in developing an economic development partnership and to participate in a marketing program with the Rockland Economic Development Corp. which will be of benefit to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Town of Clarkstown's participation in the Rockland Economic Development Corp. 1995 Cooperative Marketing Program, and be it

FURTHER RESOLVED, that a contribution of \$500.00 will be allocated for this program, and the cost shall be charged to Account No. A-6410-405.

On roll call the vote was as follows:

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

RESOLUTION NO. (718-1994)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, the Rockland County Radio Control Club, a non-profit membership radio control model airplane club has made a proposal for use of a portion of the former Clarkstown Landfill as a radio controlled model airplane flying field;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the Rockland County Radio Control Club granting them permission to utilize an area of the former Clarkstown landfill as a radio controlled model airplane flying field after remediation of the site, estimated to take several years, has been completed. The agreement shall be prepared in a form satisfactory to the Town Attorney.

On roll call the vote was as follows:

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

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RESOLUTION NO. (719-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the New York State Department of Transportation, as part of the Route 59 Improvement Project, will perform certain work within the Town of Clarkstown roads, and

WHEREAS, the New York State Department of Transportation has requested the Town to enter into a Utility Work Agreement with respect to said project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a Utility Work Agreement with the New York State Department of Transportation, in a form approved by the Town Attorney, to perform certain work within the Town of Clarkstown roads.

On roll call the vote was as follows:

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

RESOLUTION NO. (720-1994)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board adopted Resolution No. 423-1990 on May 8, 1990, Amending the Zoning Ordinance of the Town of Clarkstown on property owned by Parker-Nanuet Associates, which property is designated on the Clarkstown Tax Map as Map 164, Block A, Lots 1 and 2.01, from an LIO District to an MF-2 District; Map 164, Block A, Lot 12.03, from a PED District to an MF-2 District; Map 164, Block A, Lots 13.2 from an LIO District to a PED District; Map 164, Block A, Lot 12.02, from a PED District to a Modified PED District; and Map 164, Block A, Lots 12.4, 12.5 and 13.1 to remain in a PED District, as described on Schedules "A" through "F" attached, subject to certain conditions, and

WHEREAS, Parker-Nanuet Associates has requested a change in one of the conditions as follows:

FROM: "(1) That the Applicant shall provide in the MF-2 portion of the site 22 affordable units to be offered for sale at a price of not more than \$130,000 per unit as represented by the Applicant at the public hearing and further limit the total number of units in the rezoned area to 414 units. In addition, no residential construction may commence for a period of one (1) year after the approval, although both site plans may, at the applicant's option, be processed simultaneously."

TO: "(1) That the Applicant shall provide in the MF-2 portion of the site 22 affordable units to be offered for sale at a price of not more than \$130,000 per unit as represented by the Applicant at the public hearing and thereafter limit the

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RESOLUTION NO. (720-1994) Continued

remaining number of units in the rezoned area to 414 units.

In the event that 'rental units,' as distinguished from 'units for sale' are built on the property, the requirement for affordable units for sale shall not be operable." In addition, no residential construction may commence for a period of one (1) year after the approval, although both site plans may, at the applicant's option, be processed simultaneously."

and

WHEREAS, Parker-Nanuet Associates has also requested the Town Board amend the Declaration of Covenants to reflect the proposed change referred to above;

NOW, THEREFORE, be it

RESOLVED, that the proposed amendment is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33(A) 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 December 13, 1994, at 8:40 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.

(Schedules A through F on file in Town Clerk's Office.)

On roll call the vote was as follows:

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

RESOLUTION NO. (721-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, an adverse drainage condition exists in the vicinity of The Dixwell Lane/Buena Vista Road intersection; and

WHEREAS, said condition leads to a serious icing problem during the winter months; and

WHEREAS, the Department of Environmental Control has recommended a solution to correct the adverse condition;

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RESOLUTION NO. (721-1994) Continued

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Environmental Construction, Inc., Stony Point, New York to perform the necessary corrective drainage work; and be it

FURTHER RESOLVED, that the cost of said improvements shall not exceed \$18,750.00 and shall be a proper charge of Capital 2.

On roll call the vote was as follows:

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

RESOLUTION NO. (722-1994)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, an adverse drainage condition exists on a portion of Sunset View Drive, West Nyack; and

WHEREAS, the Department of Environmental Control has recommended a solution to ameliorate the adverse condition;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Argenio Brothers, Inc., Newburg, New York, to perform the corrective work in accordance with the recommendation of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost of such improvements shall not exceed \$4,590.00; and be it

FURTHER RESOLVED, that after completion of the corrective work the affected portion of Sunset View Drive will be resurfaced in accordance with the Town of Clarkstown's paving bid for a cost not to exceed \$16,720.00; and be it

FURTHER RESOLVED, that all costs shall be a proper charge of Capital 2.

On roll call the vote was as follows:

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

RESOLUTION NO. (723-1994)

Co. Maloney offered and Co. Dusanenko seconded

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RESOLUTION NO. (723-1994) Continued

RESOLVED, that based on the recommendation of the Superintendent of Highways that Reclamation Inc. of Kingston, Shokan, NY, be authorized to reclaim pavement at the following locations:

- Sawmill Road, New City
- Massachusetts Avenue, Valley Cottage
- Stetson Court, New City

at an estimated cost of \$29,450.00 with a final cost not to exceed \$36,000.00, and be it

FURTHER RESOLVED, that James Reed Inc. be authorized to provide liquid calcium chloride at an estimated cost of \$5,700.00 for a total project cost not to exceed \$41,700.00, and be it

FURTHER RESOLVED, that the cost of said work be charged to Capital No. 2 Account H 5110 409.

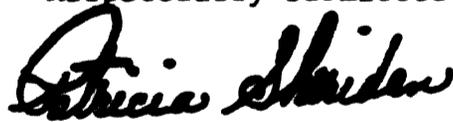
On roll call the vote was as follows:

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

Councilman Maloney requested that the meeting be adjourned in memory of Wilbur Oswald who passed away a few days ago and who was a member of the Parks Board and Recreation Commission for almost twenty years noting that he will be sorely missed.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard on motion of Council Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was closed, IN MEMORY OF WILBUR OSWALD, time: 8:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk