

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

1/24/95

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 stated that the first order of business this evening was the awarding of a proclamation for:

"School Nurse Day"
January 25, 1995

WHEREAS, January 25, 1995 has been designated as "SCHOOL NURSE DAY" in New York State and recognized as National School Nurse Day throughout the United States, and

WHEREAS, the Town of Clarkstown would especially like to recognize the school nurses of the Clarkstown School District for providing health care to all students and striving for the safety, good health and optimal learning for all children in their care, and

WHEREAS, in tribute to their dedication and excellent service, the Town of Clarkstown would like to thank all school nurses and especially the school nurses in our Clarkstown School District for their significant contribution to the betterment of our community.

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, do hereby proclaim Wednesday, January 25, 1995 as SCHOOL NURSE DAY in the TOWN OF CLARKSTOWN in honor of the SCHOOL NURSES OF THE CLARKSTOWN SCHOOL DISTRICT.

IN WITNESS WHEREOF I HEREUNTO
SET MY HAND AND CAUSE THE SEAL
OF THE TOWN OF CLARKSTOWN TO BE
AFFIXED THIS 25TH DAY OF
JANUARY, 1995.

/s/ Charles E. Holbrook
CHARLES E. HOLBROOK, Supervisor
Town of Clarkstown

Supervisor asked the representatives of the School Nurses to come forward. He asked Councilwoman Smith, on behalf of the entire Town Board and all Clarkstown residents, to make the presentation which she did.

Supervisor declared the public portion of the meeting open and invited anyone who wished to speak to come forward. No one did.

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RESOLUTION NO. (47-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of January 10, 1995 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. (48-1995)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled WEST NYACK REALTY 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. 4359/93 and 4938/94, affecting parcel designated as Map 32, Block A, Lot 5.1 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 32, Block A, Lot 5.1 be reduced for the years 1993/94 and 1994/95 from \$1,331,200 to \$1,065,000;

2. That reimbursement for the years 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, and

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; and the attorneys for the Clarkstown Central School District have consented to such settlement.

NOW, THEREFORE, be it

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

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. (49-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the WORTENDYKE BROTHERS have petitioned the Town Board of the Town of Clarkstown for a Special Permit to construct and operate a mini-warehouse facility pursuant to the provisions of the Zoning Ordinance of the Town of Clarkstown, §290-11A, RS District, Table 12, Column 3, Item 7, and §290-11A, M District, Table 15, Column 3, Item B-10, for property located on the south side of Route 59, West Nyack, New York, which property is designated on the Clarkstown Tax Map as Map 106, Block A, Lot 21.04;

NOW, THEREFORE, be it

RESOLVED, that the petition is hereby referred to the Rockland County Commissioner of Planning and the Clarkstown Planning Board for their review, and be it

FURTHER RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEORA), the Town Board determines that it shall act as lead agency and the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the Town Board with respect to SEORA 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. (50-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby amends Resolution No. 757-1994, adopted by the Town Board of the Town of Clarkstown on October 11, 1994, to read as follows:

RESOLVED, that under the provisions of Section 280-a(2) of the Town Law, and pursuant to the recommendations of the Director of Environmental Control, a Building Permit for the erection of a one-family residence may be issued to JOSEPH MITLOF for property situate at Chester Avenue and Beacon Street, Congers, New York, more specifically designated on the Clarkstown Tax Map as Map 114, Block A, Lot 19.04, 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 Chester Avenue, Congers.
2. That the property owner irrevocably agrees to participate in a road improvement district for any frontage of said premises, on any mapped street when and if required by the Town Board of the Town of Clarkstown.

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RESOLUTION NO. (50-1995) Continued

- 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 to 50 feet in width.
- 4. That the portion of Chester Avenue that abuts Tax Map 114, Block A, Lot 19.04 to the center line thereof shall be improved and maintained at the expense of the property owner to the satisfaction of the Director of Environmental Control and the Superintendent of Highways.
- 5. That any deed of conveyance for the subject premises shall be subject to the Declaration of Covenant provided herein.
- 6. 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:

- (a) Extend the existing black-top paving on Chester Avenue to the west to a distance of 25'.
- (b) Restore Chester Avenue to the existing condition, during and after construction, to the satisfaction of the Department of Environmental Control.
- (c) The sanitary sewer relocation should be in accordance with the Town's specifications and should be certified by a professional engineer in the State of New York.
- (d) Owner shall submit a cost estimate for the relocation of the sewer line to determine the inspection fee due to the Department of Environmental Control.
- (e) The owner shall provide a sewer easement through the subject parcel. The owner shall deliver to the Town Attorney a deed and transfer tax affidavit, with metes and bonds description of the sewer easement as relocated according to the survey.

On roll call the vote was as follows:

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

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RESOLUTION NO. (51-1995)

Co. Maloney offered and Co. Smith 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:

An intersection warning sign (See Sec. 232 a W-2-3 sign per the NYS Manual of Uniform Traffic Control Devices) on the east side of Brewery Road, New City, N.Y 250 ft. south of Kendall Drive.

and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (52-1995)

Co. Maloney offered and Co. Smith 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:

and remove and relocate signs as per the attached list.

and be it

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

(List 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. (53-1994)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #10-1995
FIREWORKS DISPLAY

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RESOLUTION NO. (53-1995) (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 February 17, 1995 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. (54-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #11-1995
FIRST AID 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 February 27, 1995 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. (55-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #12-1995
CRUSHED STONE

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 February 9, 1995 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.

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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. (56-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #13-1995
BITUMINOUS CONCRETE

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 February 10, 1995 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. (57-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #14-1995
HIGHWAY SIGNING AND ROAD MAINTENANCE 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 March 1, 1995 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

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RESOLUTION NO. (58-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #15-1995
STORAGE AND DELIVERY OF TOWN VOTING MACHINES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on February 23, 1995 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. (59-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that pursuant to the Cooperative Agreement between the Town of Clarkstown and the County of Rockland, the Supervisor of the Town of Clarkstown is hereby authorized and directed to execute an agreement with the County of Rockland providing for the allocation of 1994 Community Development Program funds to the Town of Clarkstown in the amount of \$10,000.00, for the purpose of handicapped accessibility to the Valley Cottage Library.

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. (60-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the hiring of The Albert and Sterling Appraisal Company to provide appraisals for the following properties:

- Map 105, Block A, Lot 33.1
- Map 105, Block A, Lot 34
- Map 106, Block A, Lot 16

and be it

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RESOLUTION NO. (60-1995) Continued

FURTHER RESOLVED, that the total fee for said appraisals shall be \$5,000.00 and shall be charged to Account No. A-1420-439-1.

On roll call the vote was as follows:

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

RESOLUTION NO. (61-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, the Personnel Department has requested that petty cash be established,

NOW, THEREFORE, be it

RESOLVED, to amend Resolution 4-1995 to reflect the establishment of petty cash for the Personnel Department in the amount of \$25.00.

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. (62-1995)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, RONALD and REBECCA SALVAGGIONE have petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioners described on the attached Schedule "A," from an R-22 District to a PO District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 34, Block A, Lot 25;

NOW, THEREFORE, 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 February 14, 1995, 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.

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RESOLUTION NO. (62-1995) Continued

(Description 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. (63-1994)

Co. Dusanenko offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes a street name change from "Forest Drive" to "Woodland Drive," Nanuet, New York, which is a private street, to facilitate the E911 system, and be it

FURTHER RESOLVED, that the Town Clerk forward a copy of this resolution to the following: the Clarkstown Superintendent of Highways, 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. (64-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled WRAY, WAGNER & OTHERS, v. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, and THE TOWN OF CLARKSTOWN, Index No. 5041/94, affecting parcel designated as Map 57, Block G, Lot 7 for the year 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 57, Block G, Lot 7 be reduced for the year 1994/95 from \$255,900 to \$185,000;
2. That reimbursement for the year 1994/95 be made through the office of the Commissioner of Finance, and no interest will be charged, and
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.

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RESOLUTION NO. (64-1995) Continued

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. (65-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, In the Matter of the Application of ROCKBOTTOM STORES, INC. v. THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN;

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
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (66-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, In the Matter of the Application of PAYLESS SHOE SOURCE v. THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN;

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:

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RESOLUTION NO. (66-1995) Continued

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

RESOLUTION NO. (67-1995)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 111 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector and the Fire Inspector of the Town of Clarkstown on premises reputedly owned by Theodore Ison and Taru Oksman-Ison and/or Citibank, N.A., as their interest may appear, in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 61, Block A, Lot 2.12, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York on the 14th day of February, 1995 at 8:25 P.M., providing that service of Notice pursuant to Town Code Chapter 111 is made on or before the 7th day of February, 1995.

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. (68-1995)

Co. Dusanenko offered and Co. Maloney seconded

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

BID #5-1995
CUSTODIAL AND JANITORIAL SUPPLIES

is hereby awarded to:

AETNA JANITORIAL SUPPLY
137 N MAIN STREET
SPRING VALLEY, NY 10977
PRINCIPALS: FAY & HARRY FRIEDMAN

CLEANING SYSTEMS/SUPPLY
44A SECOR LANE
PELHAM, NY 10503
PRINCIPALS: EDWARD CULLEN
BARBARA TRISTER

E.A. MORSE COMPANY
11-25 HARDING STREET
MIDDLETOWN, NY 10940
PRINCIPALS: WINIFRED V. MORSE
EMERSON A. MORSE II
JOHANNE N. CORTRIGHT

MT. ELLIS PAPER
PO BOX 4083
NEW WINDSOR, NY 12553
PRINCIPALS: CLIFFORD KAPLAN
SEYMOUR KAPLOWITZ

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RESOLUTION NO. (68-1995) Continued

PRESTIGE LABS
100 OAK STREET
EAST RUTHERFORD, NJ 07073
PRINCIPALS: GERALD BIEBER
LEONARD S. HONIG

ROSEBRAND WIPERS
517 WEST 35TH STREET
NEW YORK, NY 10001
PRINCIPALS: GEORGE JACOBSTEIN
RITA SHAPER

SUPPLY & DEMAN
18 KARL CT.
CONGERS, NY 10920
PRINCIPAL: R. E. DEMAN

ZEP MANUFACTURING
PO BOX 299
SPRINGFIELD, NJ 07081
PRINCIPALS: PUBLIC CORPORATION

as per item/price on file in Purchasing 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. (69-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, as a condition to the approval of the final map with regard to a site known as Getty Petroleum Corp., the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Storms Road, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deed dated December 6, 1994 from Leemilt's Petroleum, Inc. to the Town of Clarkstown gratuitously conveying a strip of land along Storms Road, Valley Cottage, New York is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

On roll call the vote was as follows:

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

RESOLUTION NO. (70-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

ROCKLAND COUNTY EXCAVATING, INC.
Thiells Mt. Ivy Road
Pomona, New York 10970

PAUL BITTS CO., INC.
9 Germonds Road
New City, N.Y. 10956

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RESOLUTION NO. (70-1995) Continued

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

RESOLVED, that the following Certificates of
Registration be issued:

- No. 95-12 Rockland County Excavating, Inc.
- No. 95-13 Paul Bitts Co., Inc.
- No. 95-14 W. Harris & Son, Inc.

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. (71-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of
Robert S. Hollander, 94 Snedecker Avenue, Congers, New York -
Highway Maintenance Supervisor I - Highway Department - is
hereby accepted - with regret - effective and retroactive to
January 9, 1995.

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. (72-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the resignation (by retirement) of
Garfield Carter, 9 Waldron Avenue, Central Nyack, New York,
Environmental Control Inspector I - Department of Environmental
Control - is hereby accepted - with regret - effective and
retroactive to January 7, 1995.

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. (73-1995)

Co. Smith offered and Co. Mandia seconded

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RESOLUTION NO. (73-1995) Continued

WHEREAS, the Rockland County Personnel Office has certified on January 12, 1995 that four (4) positions of Police Officer - can be created,

NOW, THEREFORE, be it

RESOLVED, that the four (4) positions of Police Officer - Police Department - are hereby created - effective January 25, 1995.

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. (74-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on January 24, 1995 that the position of Receptionist - Supervisor's Office - can be created -

NOW, THEREFORE, be it

RESOLVED, that the position of Receptionist - Supervisor's Office - is hereby created - effective January 25, 1995.

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. (75-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Lori A. Zaccaro, 40 Ridge Road, Congers, New York, is hereby appointed to the position of (Provisional) Receptionist - Supervisor's Office - at the current 1995 annual salary of \$19,983.00, effective January 30, 1995.

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. (76-1995)

Co. Smith offered and Co. Mandia seconded

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RESOLUTION NO. (76-1995) Continued

RESOLVED, that Richard Vokes, 52 North Lexow Avenue, Nanuet, New York is hereby recommended to be appointed to the Civilian Complaint Review Board - (to fill the unexpired term of Fred Steinberg) - to serve without compensation - term effective January 4, 1995 and to expire on December 31, 1995.

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. (77-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town Board wishes to consider, on its own Motion, Amending the Zoning Ordinance of the Town of Clarkstown by redistricting the following properties which are located in Nanuet, New York:

- 1) Redistrict property owned by Franklin Conklin Map 15, Block A, Lots 21.2 and 21.3 - from an LIO District to an MF-2 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 this Resolution 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.

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. (78-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, Caruso & Horowitz Associates, engineers for HENRY RENELLA, owner of premises shown on a proposed subdivision map known as "Renella, Alternate B-1," for property located on the south side of South Mountain Road, New City, New York, has made application for use of Town Law Section 278 in connection with said subdivision, and

WHEREAS, the Planning Board of the Town of Clarkstown has recommended approval of the use of Town Law Section 278 in connection with this subdivision because the layout provides for three access points to come off an interior road known as Sandstone Trail, which is a better layout, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 278 authorization is granted for the development of the property shown on such proposed density layout map entitled, "Average Density-Alternate B-1, Renella," located in the Town of Clarkstown, Rockland County, New York, dated December 7, 1994, prepared by Caruso & Horowitz Associates, Engineers, Surveyors and Land Planners, New City, New York;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 278 for the proposed Subdivision of Renella - Alternte B-1 described above, subject to the applicant complying with all rules, regulations and requirements of law, and requirements of the Clarkstown Planning Board and not inconsistent with the plan depicted on aforesaid proposed subdivision map, and subject further to the following conditions:

1. A map note shall be added that "Lot 1 shall not be converted to two-family use."
2. The existing playhouse on Lot 3 shall be moved to Lot 1.
3. A gratuitous dedication for road widening along South Mountain Road, 25 feet from the center line of the road shall be provided with deed, title report and map with metes and bounds description for the Town Attorney's review and approval.
4. Provide a maintenance agreement in a form satisfactory to the Town Attorney's office, that the three lot owners shall have full responsibility for maintenance of the private road, and said road shall not be dedicated to the Town.

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. (79-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has agreed to operate and maintain a commuter parking lot within the parking facilities of the St. Thomas Lutheran Church, Route 303/Route 59, Central Nyack,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange & Rockland Utilities, Inc., dated January 23, 1995, for dusk-to-dawn floddlighting directed toward this commuter parking lot as follows:

(Install - One (1) 250 Watt, 27500 lumen sodium vapor flood light on existing utility pole number 60613/39813)

On roll call the vote was as follows:

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

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Rockland County Consortium for Community Development Funds was opened, time: 8:30 P.M.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing re: Rockland County Consortium for Community Development Funds was closed, time 8:31 P.M.

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Chapter 111 Proceeding - Map 76, Block A, Lot 12.28 (Naclerio) was opened, time: 8:31 P.M.

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Chapter 111 Proceeding - Map 76, Block A, Lot 12.28 (Naclerio) was closed, RESOLUTION ADOPTED, time: 8:35 P.M.

RESOLUTION NO. (80-1995)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the conditions complained of in the Order and Notice dated December 30, 1994 regarding premises designated on the Tax Map of the Town of Clarkstown as Map 76, Block A, Lot 12.28 have been corrected, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to discontinue all further proceedings.

On roll call the vote was as follows:

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RESOLUTION NO. (80-1995) Continued

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

Supervisor mentioned that Mr. Theodore Dusanenko, Sr. had come into the hall noting that he was recovering from recent surgery. He wished to end the meeting on that happy note.

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: 8:36 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/24/95

8:30 P.M.

Re: Rockland County Consortium of Towns and Villages
Community Development Citizen Viewpoint - 1995 Program

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing noting that the County had caused the notice to be published in the newspaper.

Supervisor asked if there was anyone present wishing to comment on community development funds one way or the other.

No one appeared.

There being no one wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, time: 8:31 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

1/24/95

8:31 P.M.

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

Re: Chapter 111 Violation Hearing - Map 76, Block A,
Lot 12.28 (Naclerio)

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

Supervisor asked if anyone had any questions or wished to ask a question noting that the property has been cleaned up.

No one appeared.

On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:35 P.M.

Respectfully submitted,


PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (80-1995) ADOPTED)