

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

3/14/95

8:00 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Mandia and Smith
Councilman Maloney absent
Phillip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

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

Supervisor noted that a few days ago Town Attorney Murray Jacobson was taken ill and is in Nyack Hospital. He seems to be doing better and we all wish him well and hopefully a speedy recovery.

Supervisor declared public portion of the meeting open.

Appearance: Mr. Russell Trojan
Nanuet, New York

Mr. Trojan spoke regarding traffic problems at Church Street and College Avenue and First Street and College Avenue in Nanuet.

Appearance: Mr. Jack Cuff
West Nyack, New York

Mr. Cuff spoke regarding drainage problems at Pheasant Drive and Mallard Drive and at Pheasant Drive and Parrott Road, West Nyack.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Town Code Chapter 149 - Garbage, Rubbish and Refuse was opened, time: 8:00 P.M.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Town Code Chapter 149 - Garbage, Rubbish and Refuse was closed, RESOLUTION ADOPTED, time: 8:04 P.M.

RESOLUTION NO. (163-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 149 (GARBAGE, RUBBISH AND REFUSE)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 28, 1995, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 28, 1995, directed that a public hearing be held on March 14, 1995, at 8:00 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Clarkstown Courier on March 1, 1995, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 5, 1995, and

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RESOLUTION NO. (163-1995) Continued

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 14, 1995;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1-1995, entitled:

"AMENDMENT TO CHAPTER 149 (GARBAGE, RUBBISH AND REFUSE) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Charles E. Holbrook, Supervisor... Yes
Ralph F. Mandia, Councilman..... Yes
Ann Marie Smith, Councilwoman..... Yes
Theodore R. Dusanenko, Councilman. Yes

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

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Town Code Chapter 5 - Architecture & Landscape Commission was opened, time: 8:05 P.M.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Town Code Chapter 5 - Architecture & Landscape Commission was closed, RESOLUTION ADOPTED, time: 8:09 P.M.

RESOLUTION NO. (164-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, a proposed local law entitled:
A LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 5
(ARCHITECTURE AND LANDSCAPE COMMISSION) OF THE
TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 28, 1995, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 28, 1995, directed that a public hearing be held on March 14, 1995, at 8:05 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Clarkstown Courier on March 1, 1995, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 20, 1995, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 14, 1995;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 2- 1995, entitled:

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RESOLUTION NO. (164-1995) Continued

A LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 5
(ARCHITECTURE AND LANDSCAPE COMMISSION) OF THE
TOWN CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Charles E. Holbrook, Supervisor... Yes
Ralph F. Mandia, Councilman..... Yes
Ann Marie Smith, Councilwoman..... Yes
Theodore R. Dusanenko, Councilman. Yes

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

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Chapter 143 (Fire Prevention) of the Town Code of the Town of Clarkstown was opened, time: 8:10 P.M.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Chapter 143 (Fire Prevention) of the Town Code of the Town of Clarkstown was closed, RESOLUTION ADOPTED, time: 8:15 P.M.

RESOLUTION NO. (165-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 143 (FIRE PREVENTION)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 28, 1995, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 28, 1995, directed that a public hearing be held on March 14, 1995, at 8:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Clarkstown Courier on March 1, 1995, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 20, 1995, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 14, 1995;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 3- 1995, entitled:

"AMENDMENT TO CHAPTER 143 (FIRE PREVENTION)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

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RESOLUTION NO. (165-1995) Continued

Charles E. Holbrook, Supervisor...Yes
Ralph F. Mandia, Councilman.....Yes
Ann Marie Smith, Councilwoman.....Yes
Theodore R. Dusanenko, Councilman.Yes

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

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Chapter 244 (Sign Contractors, Licensing of) of the Town Code of the Town of Clarkstown, was opened, time: 8:15 P.M.

On motion of Councilman Dusanenko, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:20 P.M.

RESOLUTION NO. (166-1995)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, a proposed local law entitled:
"AMENDMENT TO CHAPTER 244 (SIGN CONTRACTORS, LICENSING OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith, a Town Board meeting held on February 28, 1995, at 8:15 P.M., and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 28, 1995, directed that a public hearing be held on March 14, 1995, at 8:15 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Clarkstown Courier on March 1, 1995, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on January 20, 1995, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 14, 1995;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 4- 1995, entitled:
"AMENDMENT TO CHAPTER 244 (SIGN CONTRACTORS, LICENSING OF) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Charles E. Holbrook, Supervisor...Yes
Ralph F. Mandia, Councilman.....Yes
Ann Marie Smith, Councilwoman.....Yes
Theodore R. Dusanenko, Councilman.Yes

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

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RESOLUTION NO. (167-1995)

Co. Dusanenko offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of February 28, 1995 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (168-1995)

Co. Mandia 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 a public hearing pursuant to said Zoning Ordinance shall be held at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on April 11, 1995, at 8:00 P.M. to consider the application of WORTENDYKE BROTHERS, relative to said Special Permit, and be it

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the newspaper of general circulation and posted in the manner provided by law and file proof thereof in the Office of the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (169-1995)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, MARLA REALTY CORP. has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation pursuant to the provisions of Zoning Ordinance of the Town of Clarkstown, §290-11A, Table of General Use Regulations for an R-40 District, Column 3, Item B.5; §290-11A, Table of the General Use Regulations for an R-15 District, Column 3, Item B.4; and §290-17L, 290-15B and 290-13 A, F, G and H of the Zoning Ordinance of the Town of Clarkstown, for property located north of New York State Route

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RESOLUTION NO. (169-1995) Continued

59, and east by Doshier Avenue, West Nyack, New York, and designated on the Clarkstown Tax Map as Map 88, Block C, Lots 35.1;

NOW, THEREFORE, be it

RESOLVED, that the application is hereby referred to the Rockland County Planning Board and the Clarkstown Planning Board for their review and recommendation, and be it

FURTHER RESOLVED, that 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 the Director of the Department of Environmental Control is hereby authorized and directed to act as agent for the TownBoard with respect to SEQRA review.

On roll call the vote was as follows:

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

RESOLUTION NO. (170-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision of property for 214-216 Lawrence, Inc., the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Rose Road, West Nyack, New York, and a sanitary sewer easement affecting a portion of Map 32, Block A, Lot 12, as shown on said subdivision map;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control and the Town Attorney, deed dated September 12, 1994 from 214-216 Lawrence, Inc. to the Town of Clarkstown gratuitously conveying a strip of land along Rose Road, West Nyack, New York is hereby accepted and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that a sanitary sewer easement dated September 12, 1994 from 214-216 Lawrence, Inc. to the Town of Clarkstown, affecting a portion of Map 32, Block A, Lot 12, 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 Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (171-95)

Co Smith offered and Co. Dusanenko seconded

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RESOLUTION NO. (171-1995) Continued

WHEREAS, as a condition to the approval of the final map with regard to a subdivision of property for Kingsgate E-2, the Planning Board of the Town of Clarkstown requested a sidewalk easement on the west side of New Clarkstown Road, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control and the Town Attorney, a sidewalk easement on the west side of New Clarkstown Road, Nanuet, New York, dated January 9, 1994, from K. Hovanian At Clarkstown, Inc. to the Town of Clarkstown, 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 Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (172-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, DAYTOP VILLAGE FOUNDATION, INC. and DAYTOP VILLAGE, INC. commenced a Declaratory Judgment Action against THE ASSESSOR OF THE TOWN OF CLARKSTOWN and THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN challenging its assessment for the years 1990/91 and 1991/92, and

WHEREAS, Daytop Village Foundation, Inc. and Daytop Village, Inc. have agreed to pay money in lieu of taxes for the years in controversy, and

WHEREAS, the Town of Clarkstown has agreed to grant Daytop Village Foundation, Inc. and Daytop Village, Inc. tax exemption so long as they continue to hold title and use the subject property for an exempt purpose;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney is hereby authorized to enter into a formal Stipulation of Settlement settling the action upon the terms outlined above.

On roll call the vote was as follows:

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

RESOLUTION NO. (173-1995)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town

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RESOLUTION NO. (173-1995) Continued

Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Parks Board and Recreation Commission to dispense alcoholic beverages in accordance with and subject to Sections 22-2A and 2B of the Town Code at:

Annual Senior Citizen Show Cast Party
April 22, 1995
Congers Community Center
Gilchrest Road
Congers, New York

and

Annual Senior Citizen Picnic
June 6, 1995 (Raindate: June 7th)
Congers Lake Memorial Park
Gilchrest Road
Congers, New York

On roll call the vote was as follows:

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

RESOLUTION NO. (174-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, the Columbus Day Parade Committee of Rockland County has requested use of the Town of Clarkstown showmobile on Sunday, October 1, 1995 from 12 noon to 5:00 pm at the Pearl River Fire Department for their annual Columbus Day Parade,

NOW, THEREFORE, be it

RESOLVED, that permission is hereby granted to the Columbus Day Parade Committee of Rockland County to use the Town of Clarkstown showmobile on Sunday, October 1, 1995 for the above purpose and subject to the provision of the necessary insurance policies.

On roll call the vote was as follows:

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

RESOLUTION NO. (175-1995)

Co. Dusanenko offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water

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RESOLUTION NO. (175-1995) Continued

Company is hereby authorized to install fire hydrants at the following location(s):

West side of Pleasant Hill Drive
approximately 463 feet south of
Hydrant #24-591 between Lots 3 and 4.

Investigation No.: 11122

and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (176-1995)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, a hydrant investigation has been made by Spring Valley Water Company for premises located in an approved subdivision known as 214-216 Lawrence, Inc., which was processed pursuant to Town Law § 280-a (3) (ZBA Appeal No. 2606 - approved 4/25/94), designated on the Clarkstown Tax Map as Map 32-1, Block A, Lot 12, and

WHEREAS, it has been recommended that one (1) fire hydrant be installed within the said approved subdivision, for the protection of future residents, and

WHEREAS, said property is private property; and the hydrants shall be installed at the owner's expense, but the water charges shall be billed to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with 214-216 Lawrence, Inc., as owner, in the form of a Declaration of Covenant which shall run with the land, as approved by the Town Attorney, whereby 214-216 Lawrence, Inc., or its successor(s) in interest shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per-hydrant basis in connection with the dwelling units to be located on such property presently owned by 214-216 Lawrence, Inc., located in the hamlet of West Nyack, designated on the Clarkstown Tax Bill as Map 32-1, Block A, Lot 12; and the Comptroller is hereby authorized and directed pursuant to such covenant to provide periodic statements to 214-216 Lawrence, Inc. or the future owner(s) of the premises for payment of the water service charges imposed, plus 10% as a handling fee, and be it

FURTHER RESOLVED, that the amounts to be billed shall be prorated against successor tax parcels in accordance with the applicable assessment values.

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RESOLUTION NO. (176-1995) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (177-1995)

Co. Dusanenko offered and Co. Smith seconded

WHEREAS, a hydrant investigation has been made by Spring Valley Water Company for premises located in an approved site plan known as Amber Fields, designated on the Clarkstown Tax Map as Map 165, Block A, Lots 3.46 and 3.55 and Map 8, Block A, Lot 2.10, part of the Kingsgate subdivision, and

WHEREAS, it has been recommended that five (5) fire hydrants be installed within the said approved site plan, for the protection of future residents, and

WHEREAS, said property is private property; and the hydrants shall be installed at the owner's expense, but the water charges shall be billed to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with K. Hovnanian at Clarkstown, Inc., as owner, in the form of a Declaration of Covenant which shall run with the land, as approved by the Town Attorney, whereby K. Hovnanian at Clarkstown, Inc., or its successor(s) in interest shall pay the water service charges of Spring Valley Water Company, Inc., rendered yearly to the Town of Clarkstown on a per-hydrant basis in connection with the dwelling units to be located on such property presently owned by K. Hovnanian at Clarkstown, Inc., located in the hamlet of Nanuet, for the condominium site plan known as Amber Fields, affecting the tax map parcels referred to above; and the Comptroller is hereby authorized and directed pursuant to such covenant to provide periodic statements to K. Hovnanian at Clarkstown, Inc. or the future Board of Managers, Homeowners Association or respective owner(s) of the premises for payment of the water service charges imposed, plus 10% as a handling fee, and be it

FURTHER RESOLVED, that the amounts to be billed, if not paid in the aggregate, shall be billed against the present or future tax parcels in accordance with the applicable assessment values.

On roll call the vote was as follows:

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

RESOLUTION NO. (178-1995)

Co. Smith offered and Co. Dusanenko seconded

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RESOLUTION NO. (178-1995) Continued

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the VEHICLE AND TRAFFIC LOCAL LAW, more particularly designated as Chapter 278, Sec. 13, of the Code of the Town of Clarkstown, at

CONGERS COLONIAL PLAZA
285 North Route 303
Congers, New York 10920

by the installation of fire lane designations, and

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (179-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, various funds require additional funding,

NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990 505 and increase Appropriation Account No. A 1010 414 (Councilmen-Conferences & Schools) by \$1,200; reduce Appropriation Account No. A 1220 319 (Supervisor-Misc. Supplies) and increase Account No. A 1220 219 (Misc. Equipment) by \$10.

On roll call the vote was as follows:

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

RESOLUTION NO. (180-1995)

Co. Mandia offered and Co. Smith seconded

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RESOLUTION NO. (180-1995) Continued

WHEREAS, various funds require additional funding,
NOW, THEREFORE, be it

RESOLVED, to decrease Contingency Account No. A 1990 505 and increase Appropriation Account No. A 1670 407 (Mail & Copy-Equipment Repairs) by \$321; decrease A 885 (Reserve for DARE) by \$25,000 and increase Appropriation Account No. A 3230 313 (DARE-Office Supplies & Printing) by \$5,000 and A 3230 319 (Misc. Supplies) by \$20,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (181-1995)

Co. Mandia offered and Co. Smith seconded

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

BID #11-1995
FIRST AID/SAFETY SUPPLIES

is hereby awarded to:

MICRO BIO-MEDICS, INC.
846 PELHAM PARKWAY
PELHAM MANOR, N.Y. 10803
PRINCIPAL: PUBLIC CORPORATION

RES-Q ASSOCIATES
84 MAIN STREET
KINGS PARK, NY 11754
PRINCIPAL: REEVE CONOVER

EASTCO INDUSTRIAL SAFETY CORP.
130 W. 10TH STREET
HUNTINGTON STATION, NY 11746
PRINCIPAL: PUBLIC CORPORATION

NATIONAL HEALTH SUPPLY COMPANY
PO BOX 737 2 SOUTH STREET
GARDEN CITY, NY 11530
PRINCIPAL: STANLEY SAFT

PARK SURGICAL SUPPLY
5001 NEW UTRECHT AVENUE
BROOKLYN, NY 11219
PRINCIPAL: MIRIAM DUBE
DONALD DUBE

NORTHERN SAFETY COMPANY
1914 DWYER AVENUE
UTICA, NY 13501
PRINCIPAL: RONALD LONGO
SALVATORE LONGO

as per the attached item/price schedule

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

On roll call the vote was as follows:

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

RESOLUTION NO. (182-1995)

Co. Mandia offered and Co. Dusanenko seconded

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RESOLUTION NO. (182-1995) Continued

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

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

is hereby awarded to:

Nyack Express Company, Inc.
32-38 High Avenue
Nyack, N.Y. 10960
Principal: William Perry

as per their low bid proposal of \$27,600 on file in the Purchasing Department, and be it

FURTHER RESOLVED, that said award is subject to the receipt of the Performance Bond and Certificate of Insurance as outlined in the bid specifications.

On roll call the vote was as follows:

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

RESOLUTION NO. (183-1995)

Co. Mandia offered and Co. Dusanenko seconded

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

BID #20-1995
REFUSE COLLECTION SERVICE

is hereby awarded to

PAT NAZZARO DISPOSAL
PO BOX 481
VALLEY COTTAGE NY 10989
PRINCIPAL: PAT NAZZARO

as per the attached price schedule

On roll call the vote was as follows:

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

RESOLUTION NO. (184-1995)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that based upon the recommendation of the Superintendent of Recreation & Parks and the Director of Purchasing that

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RESOLUTION NO. (184-1995) Continued

BID #10-1995
FIREWORKS DISPLAY

is hereby awarded to:

Alonzo Fireworks Display, Inc.
12 County Road 75
Mechanicville, N.Y. 12118
Principal: Louis J. Alonzo

as per their low bid proposal of \$3,000.00 and be it,

FURTHER RESOLVED, that said award is subject to the receipt of all requested insurance documents detailed as to type, amount, and form in the bid specifications.

On roll call the vote was as follows:

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

RESOLUTION NO. (185-1995)

Co. Mandia offered and Co. Dusanenko seconded

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

BID #14-1995
HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to:

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

CHEMUNG SUPPLY CORP
PO BOX 527
ELMIRA NY 14902
PRINCIPALS: HERMAN WARSHAW
MYRA S. STEMERMAN

ADC/ATHLETIC DIE COMPANY
2160-B SADLER ROAD
AMELIA ISLAND FL 32034
PRINCIPAL: MILE CLOWER

CAPITOL HIGHWAY PROD.
ROUTE 6
BALDWIN PLACE NY 10505
PRINCIPALS: MARK ABRAMS
NAL KABOGLANIAN
VICTOR DAIS
SIDARARTH BABDICHARJI

3M
TRAFFIC CONTROL MATERIALS DIV
3M CENTER BLDG 225-5S-08
PO BOX 33225
ST. PAUL MN 55133-3225
PRINCIPAL: PUBLIC CORPORATION

EASTCO INDUSTRIAL
130 W 10TH STREET
HUNTINGTON STATION NY 11746
PRINCIPAL: PUBLIC CORPORATION

AMSIGN CORPORATION
749 NEW LUDLOW RD
PO BOX 817
SOUTH HADLEY MA 01075
PRINCIPALS: CONSTANCE GOLBER
RONALD E WHITAKER

On roll call the vote was as follows:

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RESOLUTION NO. (185-1995) Continued

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

RESOLUTION NO. (186-1995)

Co. Mandia offered and Co. Dusanenko seconded

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

BID #8-1995
GROUNDSKEEPING/LANDSCAPE SUPPLIES

is hereby awarded to:

BISSETT NURSERY CORPORATION
323 LONG ISLAND AVENUE
HOLTSVILLE, N.Y. 11742
PRINCIPALS: JAMES BISSETT
 JAMES BISSETT III
 JOAN BISSETT

LESCO INC.
20005 LAKE ROAD
ROCKY RIVER, OH 44116
PRINCIPAL: PUBLIC CORPORATION

SHEMIN NURSERIES, INC.
100 WEYERHAEUSER RD.
MAHWAH, NJ 07430
PRINCIPAL: PUBLIC CORPORATION

MANTEK, A DIV. OF NCH CORP.
1320 E. NORTHGATE
IRVING, TEXAS 75062
PRINCIPALS: IRVIN LEVY
 LESTER LEVY
 MILTON LEVY, JR.

THE TERRE COMPANY OF NJ INC.
206 DELAWANNA AVENUE
CLIFTON, NJ 07014
PRINCIPAL: WILLIAM A. FEURY
 WILLIAM B. FEURY
 THOMAS J. FEURY

PRO-LAWN PRODUCTS
PO BOX 4908
SYRACUSE, NY 13221
PRINCIPAL: PUBLIC CORPORATION

as per attached price/item schedule

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

On roll call the vote was as follows:

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

RESOLUTION NO. (187-1995)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that Anthony Battista, 45 Collyer Avenue, New City, New York, is hereby appointed to the position of Custodial Worker - Maintenance Department - at the current 1995 annual salary of \$20,852., effective and retroactive to March 13, 1995.

Continued on Next Page

RESOLUTION NO. (187-1995) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (188-1995)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, that in accordance with Article XVIII, Section 7 of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Gerald F. Brickwood, 7 Frost Lane, Cornwall, New York - Environmental Control Supervisor (Operations) - is hereby granted a Military Leave of Absence - with pay - effective March 13, 1995 through March 24, 1995.

On roll call the vote was as follows:

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

RESOLUTION NO. (189-1995)

Co. Mandia offered and Co. Dusanenko seconded

RESOLVED, to amend Town Board Resolution No. 1 dated January 4, 1995 designating Merrill Lynch as a depository for funds deposited by the Supervisor, Town Clerk, Receiver of Taxes, Town Justices, Building Inspector, Department of Planning and Comptroller, and be it

FURTHER RESOLVED, that the bank shall supply pledge collateral for Town funds.

On roll call the vote was as follows:

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

RESOLUTION NO. (190-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that whereas only one proposal was received for Soft Drinks for the Town Refreshment Stands,

NOW, THEREFORE, be it

RESOLVED, that the Director of Purchasing is hereby authorized to readvertise for new proposals for:

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RESOLUTION NO. (190-1995) Continued

BID #17A-1995
SOFT DRINKS FOR TOWN
OPERATED REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on April 6, 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 Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (191-1995)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that Town Board Resolution #144-95 is hereby corrected to read:

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

BID #24-1995
SECURITY GUARD SERVICES

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 April 4, 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 Mandia.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook.....Yes

RESOLUTION NO. (192-1995)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13 BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

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RESOLUTION NO. (192-1995) Continued

WHEREAS, L.C.H. Enterprises, Inc., D/B/A Lock Stock and Barrel, wishes to adopt Bardonia Road, from Route 304, Bardonia, to Germonds Road, West Nyack, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that L.C.H. Enterprises, Inc., D/B/A Lock Stock and Barrel, will perform a public service in removing trash from said roadway which would otherwise require Town employees perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, to adopt Bardonia Road, from Route 304, Bardonia, to Germonds Road, West Nyack, New York, and to provide and coordinate services by L.C.H. Enterprises, Inc., D/B/A Lock Stock and Barrel, to remove trash from the roadway and install two (2) signs identifying the volunteer adopting Bardonia Road.

On roll call the vote was as follows:

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

RESOLUTION NO. (193-1995)

Co. Mandia offered and Co. Dusaneno seconded

WHEREAS, Chapter 626 of the Laws of 1991 (General Municipal Law, Article 13 BB), authorizes and empowers towns to enter into "Adopt a Municipal Park, Shoreline or Roadway Programs" with volunteers or groups in an effort to reduce and remove litter from parks, shoreline, roadways and other public lands, and

WHEREAS, the New City Volunteer Ambulance Corps/Rescue Squad Youth Corps wishes to adopt Cairnsmuir Lane, from Congers Road to Strawtown Road, New City, New York, and

WHEREAS, it is anticipated that Town money will be saved through the implementation of the volunteer program, in that the New City Volunteer Ambulance Corps/Rescue Squad Youth Corps, will perform a public service in removing trash from said roadway which would otherwise require Town employees to perform such work;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, to adopt Cairnsmuir Lane, from Congers Road to Strawtown Road, New City, New York, and to provide and coordinate services by the New City Volunteer Ambulance Corps/Rescue Squad Youth Corps, to remove trash from the roadway and install two (2) signs identifying the volunteer adopting Cairnsmuir Lane.

On roll call the vote was as follows:

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RESOLUTION NO. (193-1995) Continued

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

RESOLUTION NO. (194-1995)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

BRUCE H. SMITH CONTRACTING, INC.
P.O. Box 563
Stony Point, New York 10980

RESOLVED, that the following Certificate of Registration be issued:

No. 95-17 Bruce H. Smith Contracting Inc.

On roll call the vote was as follows:

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

RESOLUTION NO. (195-1995)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 236-48 of the Code of the Town of Clarkstown:

PAUL DeSIMONE
35 Madison Avenue
Garnerville, New York 10923

RESOLVED, that the following Certificate of Registration be issued:

No. 95-18 Paul DeSimone

On roll call the vote was as follows:

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

RESOLUTION NO. (196-1995)

Co. Mandia offered and Co. Smith seconded

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RESOLUTION NO. (196-1995) Continued

WHEREAS, the Federal Government, through the Federal Highway Safety Program has made funds available to the State and units of local government under Section 402(c) of Public Law 89-564, as amended, to assist them in establishing coordinated highway safety programs; and

WHEREAS, the Governor's Traffic Safety Committee has been given the authority to review local programs and allocate funds to local applicants; and

WHEREAS, the Town of Clarkstown is desirous of participating in such a program and has developed the following project:

TOWN OF CLARKSTOWN UNDER 21 ENFORCEMENT PROGRAM

in accordance with the guidelines and objectives of the Governor's Traffic Safety Committee,

NOW, THEREFORE, be it

RESOLVED, that the Chief Executive of the Town of Clarkstown be and hereby is authorized to file an application with the Governor's Traffic Safety Committee, in order to receive funds for participation in the said project in the Town of Clarkstown; and be it

FURTHER RESOLVED, that the Chief Executive of the Town of Clarkstown be and hereby is authorized to enter into a grant agreement with the Governor's Traffic Safety Committee, pursuant to the above mentioned program; and be it

FURTHER RESOLVED, that the Chief Executive of the Town of Clarkstown be and hereby is authorized to advertise for bids and award contracts in accordance with this application.

On roll call the vote was as follows:

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

RESOLUTION NO. (197-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, the Town of Clarkstown has agreed to operate and maintain a commuter parking lot to be constructed by the State of New York Department of Transportation on Route 303 and Route 59, West Nyack

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated March 10, 1995, for lighting within this commuter parking lot as follows:

(Install - Seven (7) 100 watt, 9500 lumen sodium dusk-to dawn lights)

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RESOLUTION NO. (197-1995)

(Install - One (1) 400 watt, 46000 lumen sodium vapor interstate light)
(Install - One (1) 400 watt, 46000 lumen flood light)
(Installation of poles for street light responsibility of NYS D.O.T.)

On roll call the vote was as follows:

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

RESOLUTION NO. (198-1995)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that Laurence Kohler, Director of Purchasing is hereby authorized to attend the annual Professional Development Forum of the National Institute of Governmental Purchasing, Inc. in Denver, Colorado from August 4-9, 1995, and be it

FURTHER RESOLVED, that all necessary expenses other than transportation to and from site shall be charged to Account No. A 1345-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (199-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Sixteenth Annual Conference for the NYS Government Finance Officers will be held at the Albany Marriott Hotel on March 23-24, 1995

NOW, THEREFORE, be it

RESOLVED, that Edward J. Duer, Comptroller, will attend said conference and all necessary charges will be charged to Appropriation Account No. A 1010 414 (Councilmen-Conferences & Schools).

On roll call the vote was as follows:

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

RESOLUTION NO. (200-1995)

Co. Mandia offered and Co. Smith seconded

Continued on Next Page

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RESOLUTION NO. (200-1995) Continued

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

"REPEALING CHAPTER 91 (ALARM SYSTEMS) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN, AND CREATING A NEW CHAPTER 91 BY LOCAL LAW ENTITLED, "BURGLAR ALARM DEVICE CONTROL LAW"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on April 11, 1995, at 8:05 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of such hearing shall be published in the newspaper of general circulation and posted in the manner provided by law, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (201-1995)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that Resolution No. 860-1993, adopted by the Town Board of December 30, 1994 authorizing the installation of a guard rail in front of property located at 268 Old Haverstraw Road, Congers, New York, is hereby RESCINDED.

On roll call the vote was as follows:

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

RESOLUTION NO. (202-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, "In the Matter of the Application of Craig Hickcox v. William Collins, as Chief of Police of the Clarkstown Police Department, the Town of Clarkstown, the Police Commission of the Town of Clarkstown and the Town Board of the Town of Clarkstown";

NOW, THEREFORE, be it

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RESOLUTION NO. (202-1995) Continued

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 Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (203-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, Caruso & Horowitz Associates, engineers for the NORMANDY VILLAGE COMPANY, owner of premises shown on a proposed subdivision map known as "Average Density Layout Plan prepared for Normandy Village Company, Located at Town of Clarkstown Rockland County, New York," for property located on the south side of First Street and the northwest corner of College Avenue and Church Street, Nanuet, New York, has made application for use of Town Law Section 278 in connection with said site, 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 site because the improved layout keeps the units away from the railroad tracks, provides for a loop road to the entire development, and provides for an increased buffer area for the residents of Orchard Street, 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 Layout Plan prepared for Normandy Village Company, Located at Town of Clarkstown Rockland County, New York," dated June 24, 1994 and last revised January 26, 1995, 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 Site of NORMANDY VILLAGE COMPANY 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 site map, and subject further to the following conditions:

1. Applicant shall provide for alignment of the road opposite Charles Street to line up the road to be directly opposite, rather than offset.
2. Applicant shall clearly mark those trees to be preserved, and add map note regarding their preservation.

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RESOLUTION NO. (203-1995) Continued

- 3. Applicant shall provide improvements to the intersection of Church Street/College Avenue and First Street/College Avenue, which improvements shall be determined by the Planning Board at time of final review.

On roll call the vote was as follows:

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

RESOLUTION NO. (204-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on November 22, 1994, provided for a public hearing on December 13, 1994, at 8:40 P.M., to consider the application of DINIS and LIDIA DeALMEIDA to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the Petitioners described on the Clarkstown Tax Map as Map 32, Block B, Lot 101, from a PO District to an LIO District, and

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

WHEREAS, the Town Board of the Town of Clarkstown has received a Short Environmental Assessment Form pursuant to SEQRA, from our consultant Robert Geneslaw, which the Board has discussed and considered such report in making their decision herein;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Robert Geneslaw, dated December 19, 1994, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the change of zone shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

FURTHER RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting the property of the Petitioners DINIS and LIDIA DeALMEIDA described on the Clarkstown Tax Map as Map 32, Block B, Lot 101, situate in the Hamlet of Nanuet, New York, in said Town, from a PO District to an LIO District, which is described on the attached Schedule "A," and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to prepare notice of this Amendment to the Zoning Ordinance and that the Town Clerk cause the same to be published in the official newspaper of the Town and file proof thereof in the Office of the Town Clerk, as required by law.

(DESCRIPTION ON FILE IN TOWN CLERK'S OFFICE)

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RESOLUTION NO. (204-1995) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (205-1995)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown, by resolution duly adopted on February 14, 1995, amended the Zoning Ordinance of the Town of Clarkstown by redistricting the property designated on the Clarkstown Tax Map as Map 41, Block A, Lot 6, situate in the hamlet of New City, from an R-40 District to an R-22 District, and

WHEREAS, as a condition to the aforesaid zone change, Britali Estates, Inc. was to provide a gratuitous dedication along Phillips Hill Road in conformance with the Official Map width;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control and the Town Attorney, deed dated February 28, 1995 from Britali Estates, Inc. to the Town of Clarkstown gratuitously conveying a strip of land along Phillips Hill Road, New City, 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 Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

Mr. Henry Horowitz spoke regarding Agenda Item 24 (average density layout for Normandy Village). He said when they appeared before the Planning Board they noted that the property of Mr. Torsoe of Normandy Village in no way touches the intersection of Church Street and College Avenue. They had indicated that they might have some improvement there but they weren't too sure. Mr. Torsoe indicated that if the Board wanted to have improvements done there we would contribute toward those improvements. The Board spoke about First and College which is some distance from the site. We had indicated to the Board that we would in no way be responsible for those improvements as those were being undertaken by other developments going on in the area. We did agree, although we don't touch either of those intersections, that we would contribute to College and Church. The comment relative about granting density and so on as a condition, whether density is granted or not, is the same. We don't mind contributing. Mr. Torsoe has agreed and he will. However, it is now being extended to other intersections.

Supervisor asked Mr. Horowitz what he was suggesting? Mr. Horowitz wants the part of Condition 3

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referring to First Street/College Avenue eliminated from the resolution.

RESOLUTION NO. (206-1995)

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that Resolution No. 203-1995 regarding authorization to apply Town Law Section 278 to Normandy Village Company is hereby rescinded.

On roll call the vote was as follows:

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

RESOLUTION NO. (207-1995)

Co. Dusanenko offered and Co. Mandia seconded

WHEREAS, Caruso & Horowitz Associates, engineers for the NORMANDY VILLAGE COMPANY, owner of premises shown on a proposed subdivision map known as "Average Density Layout Plan prepared for Normandy Village Company, Located at Town of Clarkstown Rockland County, New York," for property located on the south side of First Street and the northwest corner of College Avenue and Church Street, Nanuet, New York, has made application for use of Town Law Section 278 in connection with said site, 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 site because the improved layout keeps the units away from the railroad tracks, provides for a loop road to the entire development, and provides for an increased buffer area for the residents of Orchard Street, 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 Layout Plan prepared for Normandy Village Company, Located at Town of Clarkstown Rockland County, New York," dated June 24, 1994 and last revised January 26, 1995, 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 Site of NORMANDY VILLAGE COMPANY 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 site map, and subject further to the following conditions:

- 1. Applicant shall provide for alignment of the road opposite Charles Street to line up the road to be directly opposite, rather than offset.

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RESOLUTION NO. (207-1995) Continued

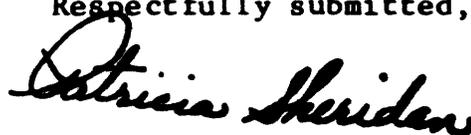
- 2. Applicant shall clearly mark those trees to be preserved, and add map note regarding their preservation.
- 3. Applicant shall provide improvements to the intersection of Church Street/College Avenue, which improvements shall be determined by the Planning Board at time of final review.

On roll call the vote was as follows:

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

There being no further business to come before the Town Board Meeting and no one further wishing to be heard, on motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 8:40 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/14/95

8:00 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Mandia and Smith
Councilman Maloney absent
Phillip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

Re: Local Law No. 1-1995 - Garbage, Rubbish and Refuse of the
Town Code of the Town of Clarkstown

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone wishing to speak for or against this proposed amendment.

Councilman Mandia asked Councilwoman Smith, as liaison to the Sanitation Commission, if they approved of this? Councilwoman Smith said yes, in fact they encouraged it because it increases security down there and improves the paper work in the Comptroller's Office to ensure that everything coming in is correctly labelled and signed.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:04 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

(RESOLUTION NO. (163-1995) LOCAL LAW NO. 1 ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/14/95

8:05 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Mandia and Smith
Councilman Maloney absent
Phillip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

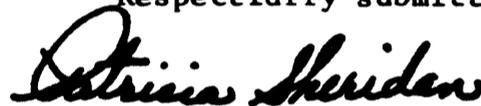
Re: Local Law No. 2-1995 - Amendment to Chapter 5
Architecture and Landscape Commission) of the Town
Code of the Town of Clarkstown

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone wishing to speak relative to this proposed local law. No one appeared.

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:09 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (164-1995) LOCAL LAW NO. 2-1995 ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/14/95

8:10 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Mandia and Smith
Councilman Maloney absent
Phillip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

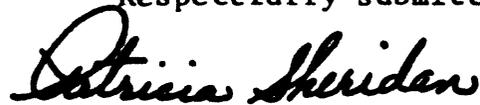
Re: Local Law No. 3-1995 - Amendment to Chapter 143 (Fire Prevention) of the Town Code of the Town of Clarkstown

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone wishing to speak relative to this proposed amendment. No one appeared.

On motion of Councilman Mandia, seconded by Councilman Smith and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:15 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (165-1995) LOCAL LAW NO. 3-1995 ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

3/14/95

8:15 P.M.

Present: Supervisor Holbrook
Council Members Dusanenko, Mandia and Smith
Councilman Maloney absent
Phillip B. Fogel, Deputy Town Attorney
Patricia Sheridan, Town Clerk

Re: Local Law No. 4 - Amendment to Chapter 244 (Sign
Contractors, Licensing of) of the Town Code of the Town
of Clarkstown

On motion of Councilman Mandia, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared open. Town Clerk read notice calling public hearing and testified as to proper posting and publication.

Supervisor asked if there was anyone wishing to speak regarding this amendment?

Councilwoman Smith stated that Mrs. Carbone from 334 Germonds Road in West Nyack came here at 7:30 P.M. but could not wait. She strongly approves the law but stated that without the teeth of the enforcement of it, it is not going to get us anywhere. She has listed six vendors who have been in non-compliance for a very long time and feels that we have been very negligent in both the Building Department and the Highway Department in bringing these people into compliance. Councilwoman Smith requested these comments be added to the record.

Councilwoman Smith then handed a list of the alleged businesses not complying to the Supervisor with a copy to be placed in the file in the Town Clerk's Office.

Councilman Dusanenko said the persons who are putting up signs will have to be licensed - is that correct? Supervisor said that is correct. Councilman Dusanenko then asked what will happen when it is a national chain that makes their national chain signs in some other area? Does that mean that a national chain will have to have its sign department get a license to install a sign in this town? Supervisor said either that or perhaps hire a local licensed sign contractor to do it.

On motion of Councilman Dusanenko, seconded by Councilman Mandia and unanimously adopted, the public hearing was declared closed, RESOLUTION ADOPTED, time: 8:20 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (166-1995) LOCAL LAW NO. 4-1995 ADOPTED