

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/25/95

8:00 P.M.

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

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

Supervisor opened the public portion of the meeting.

Appearance: Mr. John Lang

Mr. Lang spoke regarding the Nanuet Hebrew Center noting the impact the widening of Route 59 would have thereon. He also made mention of the forthcoming Melville Corporation development.

Appearance: Mr. Russell Trojan
Nanuet, New York

Mr. Trojan spoke regarding the overtaking on garbage on the tax bills and the suggestion that we use excess funds in that account for the purchase of highway equipment.

Appearance: Mr. Martin Bernstein
New City, New York

Mr. Bernstein spoke regarding the enforcement of parking laws in New City.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted the public hearing re: Zone Change for Vicinity of Alice Drive, Nanuet, was opened, time: 8:10 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted the public hearing re: Zone Change for Vicinity of Alice Drive, Nanuet, was closed, RESOLUTION ADOPTED, 8:24 P.M.

Supervisor asked what the pleasure of the Board was at this point?

RESOLUTION NO. (289-1995)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, the Town Board, by resolution duly adopted on March 28, 1995, on its own motion, provided for a public hearing on April 25, 1995, at 8:00 P.M., to consider amendment of the Zoning Ordinance of the Town of Clarkstown by redistricting the following properties which are located near Alice Drive, 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;

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RESOLUTION NO. (289-1995) Continued

- 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;

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 April 6, 1995, 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 following properties which are located near Alice Drive, 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;

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, and be it

FURTHER RESOLVED, that the Town Board hereby recommends to the Clarkstown Planning Board that if a traffic signal is warranted at Alice Drive and Middletown Road, Nanuet, New York, that the developer(s) at their own cost and expense

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RESOLUTION NO. (289-1995) Continued

be requested to provide such traffic light and that it be installed before the development is completed.

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. (290-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of April 11, 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. (291-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the permanent easements concerning the Route 59-A Drainage Project for the following properties:

Map 71, Block B, Lot 7

BURLESCO
693 West Nyack Road
West Nyack, N.Y. 10994

Map 71, Block A, Lot 4

STIPE REALTY CORP.
719 West Nyack Road
West Nyack, N.Y. 10994

Map 71, Block B, Lots 10,11

MOYER
679 West Nyack Road
West Nyack, N.Y. 10094

Map 71, Block C, Lot 29

VITALE
608 West Nyack Road
West Nyack, N.Y. 10994

Map 71, Block B, Lot 8

PESACKIS
717 West Nyack Road
West Nyack, N.Y. 10994

Map 71, Block B, Lot 1

ZENGO
2 Sickletown Road
West Nyack, NY 10994

Map 71, Block B, Lot 4.15

ROSEN
707 West Nyack Road
West Nyack, N.Y. 10994

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RESOLUTION NO. (291-1995) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (292-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown Parks Board and Recreation Commission wishes to extend the lease agreement with the Grace Conservative Baptist Church to conduct a preschool program in Nanuet, New York,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute an extension agreement with the Grace Conservative Baptist Church to conduct a preschool program, and that said agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that said agreement shall cover the period from July 1, 1995 to June 30, 1996, and the fee shall remain the same as the 1994/1995 agreement and be charged against Appropriation Account No. 7141-424.

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. (293-1995)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Corporate Property Investors (CPI) to allow the Town of Clarkstown use of a portion of the Nanuet Mall site as a Police Office, and be it

FURTHER RESOLVED, that this agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the term of this agreement commences February 15, 1995 and expires on February 14, 2005, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to February 15, 1995.

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. (294-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into agreements with A & R Alarm Corp. to provide for the installation and servicing of fire alarm, burglar alarm, and flood detection systems at the Town of Clarkstown Community Centers and other areas mentioned below:

- Central Nyack Community Center
- Congers Lake Memorial Park
- Germonds Pool
- Parks Board and Recreation Commission Offices
- Parks Board and Recreation Warehouse
- Street Community Center

and be it

FURTHER RESOLVED, that the term of the agreements covering the above locations shall become effective on April 1, 1995 for a period of one year, and shall thereafter be renewable for increments of one year by letter of agreement signed by the parties, and be it

FURTHER RESOLVED, that the agreements shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to April 1, 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. (295-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, Brian Connolly, CSW, Lisa Kloenne, and Glenn Leeds attend conference "Strategy for Counseling Adolescents" at Arms Acres on May 16th, 1995. Registration fee \$55.00 per person.

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. (296-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Marie Geronimo, Receiver of Taxes and Dolores Daubitz, Deputy Tax Receiver are hereby authorized to attend a Seminar for Tax Collecting Officers, co-sponsored by the Association of Towns of the State of New York and New

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RESOLUTION NO. (296-1995) Continued

York State Association of Tax Receivers and Collectors, on June 11th thru June 14, 1995 at Roaring Brook Conference Center, Lake Luzerne, Warren County, New York, and be it

FURTHER RESOLVED, that all proper charges be charged against 1010-414.

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. (297-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Mark Papenmeyer, Irene Saccende and David McLeod are hereby authorized to attend the Code Enforcement Officials Educational Conference in Fishkill, N.Y. on May 3, 4, and 5, at a cost not to exceed \$125.00 per person to be charged to the Building Department budget line B 3620-424, and be it

FURTHER RESOLVED, that a town vehicle may be used to travel to and from the conference.

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. (298-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Arlette Phillips, Drafter, Department of Environmental Control, is hereby authorized to attend a one-day seminar on "Windows" to be held on Wednesday, May 31, 1995 at the Orangeburg Holiday Inn, Route 303, Orangeburg, New York, and be it

FURTHER RESOLVED, that all proper charges be charged against appropriation account A 1010-414.

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. (299-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received \$4,104.00 from Corporate Property Investors,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account No. A 01 9 2705 (General Fund-Gifts & Donations) and Appropriation Account Number A 3120 111 (Police-Overtime) by \$4,104.00.

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. (300-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received \$91.23 from GEICO General Insurance Company for repairs to a damaged street sign,

NOW, THEREFORE, be it

RESOLVED, to increase Estimated Revenue Account NO. DA 042 2680 (Highway-DA-Insurance Recoveries) and Appropriation Account No. DA 5140 379 (Signs, Posts, Rails) by \$91.00.

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. (301-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, to increase Appropriation Account A 7610-301 (Programs for the Aging-Food) by \$1,100.00 and to increase Revenue Account 01-002001 (Park and Recreation Charges) by \$1,100.00.

On roll call the vote was as follows:

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

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RESOLUTION NO. (302-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, to decrease Account 7141-222 (Park and Recreation-Community Centers) in the amount of \$3,000.00 and increase Account 7141-329 (Recreational Supplies-Community Centers) in the amount of \$3,000.00; to decrease Account 7610-329 (Recreation Supplies-Aging) in the amount of \$1,500.00 and to increase Account 7310-329 (Recreation Supplies-Youth) in the amount of \$1,500.00; to decrease 7141-222 (Park and Recreation-Community Centers) in the amount of \$4,500.00 and to increase Account 7310-329 (Recreation Supplies-Youth) in the amount of \$4,500.00; to decrease Account 7610-222 (Park & Recreation-Aging) in the amount of \$1,000.00 and to increase Account 7310-329 (Recreation Supplies-Youth) in the amount of \$1,000.00; to decrease 7610-230 (Communication Equipment-Aging) and to increase Account 7310-329 (Recreation Supplies-Youth) in the amount of \$1,000.00.

On roll call the vote was as follows:

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

RESOLUTION NO. (303-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #24-1995
SECURITY GUARD SERVICES

is hereby awarded to:

ACCURATE PROTECTION CO
D/B/A ACCURATE SECURITY CO
84 SO LIBERTY DRIVE
STONY POINT NY 10980
PRINCIPALS: JOHN A. SCHASSLER
 JOHN KEELEY
 JOHN A. SCHASSLER JR

as per their low bid proposal of \$8.24 per guard/per hour, and be it

FURTHER RESOLVED, that said award is subject to the receipt of a Certificate of General Liability Insurance, including errors and omissions coverage and evidence of Workers Compensation Insurance coverage as detailed in the bid specifications, and a Save Harmless Agreement.

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. (304-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #26-1995
CHAIN LINK FENCING AT KINGS PARK

is hereby awarded to

YABOO FENCE CO INC
10 HIGH STREET
WEST NYACK NY 10994

PRINCIPALS: ELAINE GEDEIKO
LYNETTE GEDEIKO
MATTHEW GEDEIKO,

as per their low bid proposal of \$5,040.00.

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. (305-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #27-1995
RESURFACING OF CONGERS POOL

is hereby awarded to

NORBERTO & SONS INC
254 ROE AVE
PATCHOGUE NY 11772
PRINCIPAL: FRANK NORBERTO

as per their low bid proposal of \$36,000.00, and be it

FURTHER RESOLVED, that said award is subject to the receipt of a Certificate of Contractors Liability Insurance and evidence of Workers Compensation and Disability Insurance Coverage.

On roll call the vote was as follows:

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

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RESOLUTION NO. (306-1995)

Co. Maloney offered and Co. Mandia seconded

BID # 22 - 1995 ARTS & CRAFTS SUPPLIES
RESOLVED, based on the recommendation of the
Director of Purchasing and in concurrence with the
Superintendent of Recreation and Parks, that the bid for
furnishing Arts & Craft Supplies is hereby awarded to the
following low bidders who have met the specifications:

S & S ARTS & CRAFTS
Mill Street
Colchester, Connecticut 06415
Principal: Stephen Schwartz

J & A HANDY-CRAFTS, INC.
165 S. Pennsylvania Ave.
Lindenhurst, NY 11757
Principals: Paul Siegelman
Joanne Siegelman

Creative Crafts International
16 Plains Road
Essex, Connecticut 06426
Principals: Brian Jermaine
Paul Siegel

Economy Handicrafts
50-21 69th Avenue
Woodside, NY 11377
Principals: Laurie Korobkin
David Korobkin

Vanguard Crafts
1081 East 48 Street
Brooklyn, NY 11234
Principals: Estelle Schwedock
Eric Schwedock

IMC Needlecraft, Inc.
Box 11,
Garnerville, NY 10923
Principal: Lawrence Peska

B & B Crafts
175 Allen Blvd
Farmingdale, NY 11735
Principals: Daniel Benson
Marsha Benson

Ceramics Supply of New Jersey
7 Route 46 West
Lodi, NJ 07644
Principals: Miriam Vogelmann
Irwin Vogelmann
Judy Noe

GROSS TOTAL OF ALL ITEMS: \$29,611.80

and be it

FURTHER RESOLVED, that this amount be charged
against accounts:

7310-329 - \$12,845.79
7141-329 - \$ 8,825.18
7610-329 - \$ 7,940.83

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. (307-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #28-1995
MOSQUITO CONTROL PROGRAM

is hereby awarded to

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RESOLUTION NO. (307-1995) Continued

ROCKLAND TREE EXPERT CO INC
11 MC NAMARA ROAD
SPRING VALLEY NY 10977
PRINCIPALS: JOHN W WICKES
 JAMES B WICKES
 JENNIFER ULLMAN

as per their following low bid proposal

LARVICIDE APPLICATIONS
FOUR APPLICATIONS @ \$387.50 PER APPLICATION
ADULTICIDE APPLICATIONS
@ \$22.50 PER PROPERTY
@ \$1,100.00 MINIMUM CHAREGE PER APPLICATION

and be it

FURTHER RESOLVED, that as a condition of this award that the successful bidder shall furnish to the Director of Purchasing a Certificate of General Liability Insurance Coverage with a combined single limit of \$1,000,000.00 for bodily injury and \$50,000.00 property damage, a Save Harmless Agreement in favor of the Town of Clarkstown and a Certificate of Workmen's Compensation and Disability coverage.

On roll call the vote was as follows:

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

RESOLUTION NO. (308-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,
"REGULATING THE FEEDING OF WATERFOWL
ON LANDS OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on May 23, 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, 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 K. Luke

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RESOLUTION NO. (308-1995) Continued

Kalarickal, Director of Environmental Control, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

On roll call the vote was as follows:

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

RESOLUTION NO. (309-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 202 (PARKS AND RECREATION FACILITIES) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on May 23, 1995, at 8:10 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 Maloney.....	Yes
Councilman Mandia.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (310-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, Councilwoman Smith, a member of the Town Board of the Town of Clarkstown, has introduced a proposed local law entitled,

"AMENDMENT TO CHAPTER 278 (VEHICLES AND TRAFFIC) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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RESOLUTION NO. (310-1995) Continued

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on May 23, 1995, at 8:15 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (311-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that K. Luke Kalarickal, Director of the Department of Environmental Control, is hereby authorized to hire a surveyor to prepare a survey of High Street, West Nyack, New York, in particular where it abuts property known as Map 89, Block A, Lot 20, and be it

FURTHER RESOLVED, that the fee shall not exceed \$1,000.00 and shall be charged to Account No. A-1420-409.

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. (312-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Assistant Director of Municipal Services #94150 which contains the name of Michele Paradiso,

NOW, THEREFORE, be it

RESOLVED, that Michele Paradiso, 2 Eldor Avenue, New City, New York, is hereby appointed to the (Permanent) position of Assistant Director of Municipal Services -

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RESOLUTION NO. (312-1995) Continued

Clarkstown Counseling Center - at the current 1995 annual salary of \$42,797.00, effective April 26, 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. (313-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that William F. Smith, 11 Nansen Court, New City, New York, is hereby appointed to the position of Custodial Worker - Maintenance Department - at the current 1995 annual salary of \$20,852.00, effective and retroactive to April 24, 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. (314-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that in accordance with Article XVIII, Section 3(k) of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A., Linda J. Gershon, 24 Seymour Drive, New City, New York - File Clerk - Building Department - is hereby granted an extension of her Sick of Leave of Absence - at one half pay - effective and retroactive from April 20, 1995 to May 20, 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. (315-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the salary of the First Deputy Town Attorney is hereby temporarily adjusted to the annual rate of \$60,000.00 per annum, retroactive to March 13, 1995, and to continue until the Town Attorney can resume his full duties.

On roll call the vote was as follows:

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RESOLUTION NO. (315-1995) Continued

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

RESOLUTION NO. (316-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the Nanuet High School Parent Teacher Student Association, a non-profit organization, to provide services and programs for residents of the Town of Clarkstown that are deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that the Town Board shall allocate the sum of \$2,500.00 in economic assistance to the Nanuet High School Parent Student Association for "Project Graduation 1995," and be it

FURTHER RESOLVED, that these funds are to be charged against Account No. A 8840-424.

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. (317-1995)

Co. Mandia offered and Co. Maloney seconded

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

BID #34-1995
HIGHWAY DEPARTMENT GARAGE RENOVATIONS

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 June 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.

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. (318-1995)

Co. Mandia offered and Co. Maloney seconded

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

BID #35-1995
SALE OF SURPLUS VEHICLES

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 May 22, 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. (319-1995)

Co. Smith offered and Co. Maloney seconded

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

CHARLES ENTWISTLE
182 Route 210
Stony Point, New York 10980

RESOLVED, that the following Certificate of Registration be issued:

No. 95-20 Charles Entwistle

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. (320-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with the County of Rockland and the four other towns located within Rockland County providing for the County wide reassessment, and be it

FURTHER RESOLVED, that said agreement shall be in a form satisfactory to the Town Attorney.

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RESOLUTION NO. (320-1995) Continued

Councilman Dusanenko asked is every community going to have to abide and implement this? Supervisor said yes.

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. (321-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Suburban Marketing Associates, Inc. to provide advertising space for the Town of Clarkstown in the Rockland County Magazine, and be it

FURTHER RESOLVED, that said agreement shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the fee for such services shall be \$2,677.50 and shall be charged to Account No. A-6410-405.

Councilman Mandia asked if this fee is for the advertising space? Supervisor said this is for the ad. Councilman Mandia said this is not some PR company? Supervisor said no.

On roll call the vote was as follows:

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

PLEASE NOTE THAT THE TWO (2) FOLLOWING BONDING RESOLUTIONS FAILED AS THEY NEEDED FOUR (4) YES VOTES.

RESOLUTION NO. (322-1995) FAILED

Co. Maloney offered and Co. Smith seconded

BOND RESOLUTION OF THE TOWN OF CLARKSTOWN, NEW YORK, ADOPTED APRIL 25, 1995, AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE TOWN HIGHWAY DEPARTMENT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$950,000, APPROPRIATING SAID AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$950,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

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RESOLUTION NO. (322-1995) Continued

Section 1. The Town of Clarkstown, in the County of Rockland, New York (herein called "Town"), is hereby authorized to acquire various equipment for use by the Town Highway Department. The estimated maximum cost thereof, including preliminary costs and incidental thereto and to the financing thereof, is \$950,000 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$950,000 serial bonds of the Town to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$950,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which the serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28. of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 and 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond

Continued on Next Page

RESOLUTION NO. (322-1995) Continued

anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum.

On roll call the vote was as follows:

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

RESOLUTION NO. (323-1995) (FAILED)

Co. Maloney offered and Co. Smith seconded

THE TOWN BOARD OF THE TOWN OF CLARKSTOWN, IN THE COUNTY OF ROCKLAND, NEW YORK, HEREBY RESOLVES AS FOLLOWS:

Section 1. The Town Clerk of said Town of Clarkstown shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "THE JOURNAL-NEWS," a newspaper published in Nyack, New York, having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

PLEASE TAKE NOTICE that on April 25, 1995, the Town Board of the Town of Clarkstown, in the County of Rockland, New York, adopted a bond resolution entitled:

"Bond Resolution of the Town of Clarkstown, New York, adopted April 25, 1995, authorizing the acquisition of various equipment for use by the Town Highway Department, stating the estimated

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RESOLUTION NO. (323-1995) Continued

maximum cost thereof is \$950,000, appropriating said amount therefor, and authorizing the issuance of \$950,000 serial bonds of said Town to finance said appropriation,"

an abstract of which bond resolution, concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said town to acquire various equipment for use by the Town Highway Department; STATING the stimated maximum cost thereof, including preliminary costs and cost incidental thereto and to the financing thereof, is \$950,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$950,000 serial bonds of the Town to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$950,000 serial bonds of the town pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said serial bonds authorized to be issued pursuant to this resolution is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$950,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINATING that said bonds and bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Suprvisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: April 25, 1995

Patricia Sheridan
Town Clerk

Section 2. After said bond resolution shall take effect the Town Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

On roll call Councilman Dusanenko stated that while he realized the Highway Department needed equipment he felt it

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RESOLUTION NO. (323-1995) Continued

should be funded every year rather than going to bonding. He inquired about other places in the 1995 budget where we might have some surpluses. Supervisor said we have surpluses but they are there to protect the credit rating of the Town.

Councilman Dusanenko felt that spending money for bonding counsel and spreading it over years instead of having an operational budget is not good government and cost effective tax spending. He is willing to release to the Highway Department for needed equipment up to whatever estimate you say is going to be surplus from the solid waste collection account but he personally would not go for bonding equipment.

Supervisor said the purchase of this equipment and the life expectancy of this equipment is such that when you are talking in terms of a bond he thinks that it amortizes out pretty well. With the size of our Town and the necessity the Highway Department has and the monumental job they have he thinks we have to give them this shot of equipment to carry them through. We did in this year's budget have a capital fund in which we put in an amount for bonding similar to what they do in the County of Rockland which was approved by a vote of the Town Board as a budget and now this is the funding to implement that.

Councilman Dusanenko expressed his concern that the taxpayers of the Town will be paying interest on this borrowing. He said he worked with Supervisor Holbrook and Councilman Maloney but did not have the opportunity and privilege of serving with Mr. Mandia and Mrs. Smith noting that in the past when he was on the Board some tough decisions were made whether we had good budgets or not. The highway equipment was standardized. There was money in for black top every year. We made purchases of highway equipment every year not just when there was emergencies and that's the way this Town Board has to be. For these reasons he was voting no.

Councilman Maloney said he voted yes. You can't provide service if you don't have the equipment.

Councilman Mandia said the \$350,000.00 we have been talking about in surplus - if that were given to the Highway Superintendent tonight that would allow him to buy at least four trucks. He felt we could find enough money in the budget in the surplus funds. He said he found out from a couple of local banks he spoke with that they would be more than happy to work out a deal with the Town to lend us money at an appropriate interest rate without the need of bond counsel so we have a credit card we can use if we do have an emergency in the fall and we still can let the Highway Department get 70% of what they feel they need right now without going into further debt. He noted that every week we come here there is another tax certiorari which means tax collections are beginning to fall. For those reasons he said he did not consider this should be taken as an opportunity to take other surplus funds we've got. He stated he was willing to roll the dice with the snow money for the fall and let the Highway Superintendent have whatever hundreds of thousands of dollars we can come up with to order that equipment now. He said he was aware we need to order it in order to get delivery before the winter season and he would like to see us have a resolution to allow the Superintendent of Highways to use whatever monies we can right now but on the bonding issue he votes no.

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RESOLUTION NO. (323-1995) Continued

Councilwoman Smith said even with her vote the motion will fail because on bonding you need four votes. It may not be correct but over the past few years we have not been able to buy equipment as we would have liked but there were more other pressing needs. She said she did not think it was any more correct now to piecemeal out what we are trying to do. There are roads in this Town that haven't been paved for twenty or twenty-five years. She thinks it is absolutely necessary for us now to provide the services and it would have only been able to be done if we had the proper equipment. She said she votes yes but notes that the motion fails.

Councilman Dusanenko said as a substitute can we go back into that other resolution? Supervisor said not at this time. He said he would discuss the options with the Highway Superintendent. Councilman Dusanenko said if Mr. Mauro has a timetable - Supervisor said he would meet with the Highway Superintendent on this matter and it can be discussed at a workshop.

On roll call the vote was as follows:

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

RESOLUTION NO. (324-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, the Superintendent of Highways is hereby authorized to install the following sign:

"Weight Limit 12 Tons"

to be erected on Dr. Davies Road near its intersection with U.S. Route 9W in Congers.

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. (325-1995)

Co. Smith offered and Co. Mandia seconded

WHEREAS, CARL & KATHERINE LANDGREN have petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioners from an R-40 District to an R-10 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 136, Block C, Lots 1.01 and 1.0104;

NOW, THEREFORE, be it

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RESOLUTION NO. (325-1995)

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33(A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning and the other municipalities and governmental bodies as required by Sections 239-1 and 239-m of the General Municipal Law and other applicable provisions of law, and be it

FURTHER RESOLVED, 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 Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review.

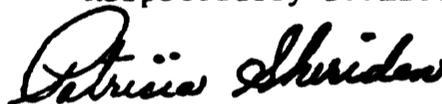
On roll call the vote was as follows:

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

Councilman Maloney asked that we adjourn the meeting in memory of Alice Secora who served this Town for so many years and also in memory of all those who perished in the terrible Oklahoma disaster. We might remember in a moment of silence the victims and their families.

There being no further business to come before the Town Board Meeting and no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the Town Board Meeting was closed, time: 8:50 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

PLEASE NOTE THAT PAGES NUMBERS 403 AND 404 WERE DESTROYED
IN THE PRINTER

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

4/25/95

8:10 P.M.

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

Re: Zone Change Proposal - Vicinity of Alice Drive, Nanuet

On motion of Councilman Maloney, 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 stated that this has been done on the Town Board's own motion and emanates essentially out of the issue involving the relocation of the train station. Whether or not that will ever occur is still a question mark. He stated that he did not think that it will. The Town of Clarkstown has decided to include all of the properties involved in this particular zone change and is willing to hear from the public. He asked Mr. Fogel, Deputy Town Attorney if there were any recommendations from the Planning Boards?

Mr. Fogel said under letter dated February 27, 1995 Rockland County Planning Board approves. Under letter dated February 21, 1995 the Clarkstown Planning Board approves.

Supervisor asked if there was anyone present wishing to make a comment or ask a question?

Appearance: Mr. Bob Jackson, President
Nanuet Civic Association

Mr. Jackson said he knows the zone change was approved by the Planning Board. He asked Mr. Geneslaw if the zone change is granted how many units of the style, say Avalon, (whom he assumed would be building there) could be built there? Mr. Geneslaw said based on the area of the property up to 80 units but that depends on the preparation of a site plan and in making sure that the parking and the setbacks all work.

Supervisor said one point made here is that it could also be used for road network, etc. It doesn't necessarily have to be used for units. It could give them a better layout if Avalon, in essence, purchases it. Mr. Jackson said that is an assumption on his part from what he has been told. He said he is pretty sure they probably would use it for access instead of using everything out on Overlook.

Mr. Jackson said he thinks Avalon proposed 440 units in that area. Mr. Geneslaw said 430. Mr. Jackson said he would assume that most of these units that would be built on the land if there was a zone change, the 80 units if it was used for that type of housing, would be Nanuet Schools? Supervisor said he was not sure. Mr. Jackson said there is a 60/40 split. Sixty percent of Avalon is Nanuet schools - 40% is East Ramapo. There was discussion as to where the line would be drawn.

Mr. Jackson said his concern is with constantly more homes. He said he knows we all say this would help us with the Metro North Railyard in moving the Woodbine Yard from Spring Valley to Nanuet. Just from all the help he has received from everyone on the Board he thinks they were on the run long before this but it would be nice to make sure that they don't come.

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Mr. Jackson said he is concerned where Alice Drive runs parallel to the New York State Thruway and comes out onto Middletown Road. Presently there is no traffic signal there. Something would have to be done at that intersection. Would it be after the development is completed, if it is developed, who would be paying for it? Supervisor said at the Site Plan Review is where it would take place. Mr. Jackson said usually in the past it has been that the Planning Board would recommend something and after the development is in and up and running then the improvements seem to come in. Supervisor said not necessarily. Supervisor said what is required is a site plan and that is a requirement for the development of the site. Then it has to be done. Mr. Jackson said his main concern is that area there from Alice Drive out to Middletown Road and actually it is a state road up by Smith and Overlook, the other side of Avalon's project. He said he assumes that Avalon is going to build on that property in that area. He said those are the points he just wanted to bring out. Traffic is his main concern. He said 80 units is still 80 units into a school district. He said it could be recommended by the Town Board that if it is approved and the zoning is done that we could have the traffic improvements in place before the building starts.

Appearance: Mr. Russell Trojan
Nanuet, New York

Mr. Trojan said in reference to Alice Drive he knows why we are taking this action tonight. An entity who has been allowed to tax us without being subject to the electoral process in violation of our founding principles did not understand that transportation must flow through Nanuet and not dead end here.

Mr. Trojan went on to say that the future developers of Alice Drive must understand that they have many obligations. A de facto bike path exists on Little Tor Road and Middletown Road. Manuel DaCunha of the Rockland County Highway Department has suggested a bike path from Exit 14 Park and Ride along the defunct Route 59 bypass. We need to have an easement connecting the two bike paths. It will probably have to go through this site.

Mr. Trojan said the Rockland County sanitation sewer trunk line is on Alice Drive. This line would be dug up and replaced with a larger pipe to accommodate Sloatsburg sewers.

Mr. Trojan said the Naurashaun Brook presents many challenges. As long as developers pave over the land they must be responsible for the runoff both on site and down stream no matter where development is in the drainage basin.

Mr. Trojan said he hopes they have gotten police input into this issue. North Middletown Road has two bottlenecks - Route 59 and the New York State Thruway. This sometimes backs up all the way to Smith Road. Developing Alice Drive will open up access to over 500 condominium or rental units to a heavily travelled intersection. This intersection at Alice Drive has limited sight distance because of the New York State Thruway overpass. He would suggest a blinker light that goes red on North Middletown Road to allow residents of Alice Drive to exit onto North Middletown Road. A similar light is in Stony Point at Letchworth Village Road and Filors Lane.

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PH - Re: Zone Change Proposal - Vicinity of Alice Drive, Nanuet
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Mr. Trojan said in conclusion MTA's plans are now on hold. The Chairmanship is changing. The Town Board should reserve the right to change back to R-22 if MTA guarantees to drop its plans for the future and forever. He leaves it to the Board to do the creative writing to incorporate these issues into their resolution.

Councilman Maloney asked Mr. Trojan if he was in favor of the zone change or not? Mr. Trojan said he accepts the zone change because of Metro North.

Appearance: Ms. Nancy Thomas
Alice Drive
Nanuet, New York

Ms. Thomas said she is still directly negotiating with Avalon Properties and she would ask the Town Board to hold off on making a final decision until that was completed and it should be completed fairly soon. She said if she doesn't sell she is stuck with an MF-2 surrounded by apartment complexes. She did not know why other people were not speaking on this. She said there are only two people who have residential homes. The rest are group homes. McClellands and herself are the only residents who live on that road. She said if you ask me if I am for or against this she would say she is undecided but stuck with whichever way the wind blows.

There being no one further wishing to be heard on motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing was declared closed, time: 8:24 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. 289-1995 ADOPTED