

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

8/8/95

8:00 P.M.

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

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

Supervisor declared public portion of the meeting open.

Appearance: Mr. Eugene Schwartz,  
Past President  
Nanuet Hebrew Center

Mr. Schwartz stated he had been a resident of Nanuet since 1923. His parents were founders of the Nanuet Hebrew Center. He requested the property be rezoned to commercial and have the center removed to a new site.

Appearance: Dr. Morris Sharf  
Nanuet

Dr. Sharf also requested having the zone changed from residential to commercial.

Appearance: Dr. David Fisher  
Nanuet, New York

Dr. Fisher noted there is no parking at the temple and it is very dangerous. He requested Melville be granted the zone change.

Appearance: Mr. Alan Eisencraft, President  
of Men's Club and Trustee of  
Nanuet Hebrew Center

Mr. Eisencraft stated that he felt the best use for the property would be commercial.

Appearance: Mr. Jim Cropsey,  
New City Chamber of Commerce

Mr. Cropsey spoke regarding lack of parking for the general public in the heart of New City.

Appearance: Mr. John Lodico  
New City, New York

Mr. Lodico spoke regarding Red Hill Road improvements.

Appearance: Mr. Jack Cuff  
West Nyack, New York

Mr. Cuff spoke regarding Agenda Item 9 (illegally placed signs along right-of-ways) and how that would affect political signs.

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On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted the public hearing re: Proposed Water Extension District (Pepperidge Drive and Rise Road, New York was opened, time: 8:25 P.M.

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On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted the public hearing re: Proposed Water Extension District (Pepperidge Drive and Rise Road, New City was adjourned, sine die, time: 9:05 P.M.

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On motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the public hearing re: Amendment to Town Code to Clarify Uses Permitted in LIO Districts was opened, time: 9:06 P.M.

On motion of Councilman Maloney, seconded by Councilwoman Smith and unanimously adopted, the public hearing re: Amendment to Town Code to Clarify Uses Permitted in LIO Districts was closed, RESOLUTION ADOPTED, time: 9:15 P.M.

RESOLUTION NO. (528-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on June 27, 1995, provided for a public hearing on August 8, 1995, at 8:10 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was duly held at the time and place specified in said 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 July 6, 1995, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Amendment to the Zoning Ordinance 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 the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Table of the General Use Regulations, §290-11A, Table 14, LIO District, by Adding the following:

Column 3.B. "10. Manufacturing uses except those specifically prohibited in Sec. 290-18."

Column 4: "17. Accessory Uses to Manufacturing Uses, subject to Town Board special permit approval."

Column 6:

"36. Manufacturing: One parking space for each 300 sq. ft. of floor area in such uses plus 600 sq.ft. of floor area in accessory uses or as determined by the Planning Board.

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RESOLUTION NO. (528-1995) Continued

Amend §290-17 by Adding the following:

- "V. Manufacturing in an LIO District, subject to the following conditions:
- (1) All uses shall be conducted within fully enclosed buildings.
  - (2) The applicant shall demonstrate that the operation will not produce noise, smoke, or odors outside the building."

Amend §290-6. Purpose of districts, by changing Item N. as follows:

"N. LIO. The purpose of the Limited Light Industrial Office District is to permit the development of selected industrial uses on land planned and suited to such uses but at the same time protecting the character of the surrounding residential areas or planned residential areas. Manufacturing operations are to be permitted only if they are incidental or accessory to the primary operation of the plant, or allowed by special permit of the Town Board. This district is planned and intended for industrial lands uses characterized by low land coverage, with large year-round landscaped setbacks for protection of residential areas, attractive building designs and developing an industrial parklike setting. The regulations are designed to promote industrial developments using the highest acceptable planning standards to properly handle any obnoxious and objectionable external effects upon the surrounding residential areas, circulation systems, drainage and other natural features. All references throughout this entire chapter to "IO Industrial Office" are hereinafter deemed to refer to "LIO Light Industrial Office."

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.

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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On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Violation Hearing re: Naclerio, 3 Acorn Terrace, New City, New York (Map 76, Block A, Lot 12.18) was opened, time: 9:16 P.M.

On motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted the Violation Hearing re: Naclerio, 3 Acorn Terrace, New City, New York (Map 76, Block A, Lot 12.18) was closed, RESOLUTION ADOPTED, time: 9:30 P.M.

RESOLUTION NO. (529-1995)

Co. Smith offered and Co. Maloney seconded

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RESOLUTION NO. (529-1995) Continued

WHEREAS, by Resolution No. 485-1995, dated June 27, 1995, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 76, Block A, Lot 12.28, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 8th day of August, 1995, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated July 5, 1995, have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector of the Town of Clarkstown is hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such condition continues to be uncorrected on or after the 14th day of August, 1995, and be it

FURTHER RESOLVED, that the expenses incurred by the Building Inspector and the Town Attorney with respect to such corrective measures, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Town Attorney and any other necessary expenses.

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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Supervisor said after the 14th of the month we will be cleaning it up. He would ask Mr. Milich with Mr. Kalarickal to get together and see how we are going to approach this in terms of who we get. Let's get some contractors lined up so that we can get in there and get the thing done. Councilman Mandia said unlike Nazi Germany we don't seize people's property here. However, a wake up call to whoever owns it is going to be when they are served with that lien. We are going to get the work done. We are going to put a lien on the property. What the owner is going to be told is your property as bad as it is now is decreasing in value. You now have liens on it. Maybe it will be the wake up call that is apparently necessary to get the person interested in letting someone buy the property that wants to do good with it.

Councilman Dusanenko said in summary if anyone here knows whether it is the sister or this gentleman or could even

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RESOLUTION NO. (529-1995) Continued

tell a neighbor of his up in New Windsor the Town is ready, willing and able, after the 14th, to do these things. It will be done. He may want to do it before the 14th faster and cheaper and better. It will be done. His tax bill will increase. He will have to pay more now.

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RESOLUTION NO. (530-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of July 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

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RESOLUTION NO. (531-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, as a condition to the approval for the authorization of the use of Town Law § 280-a(2), the Town Board, by Resolution No. 50-1995, required that Joseph Mitlof, the owner of property described as Map 114, Block A, Lot 19.04, furnish to the Town of Clarkstown a sanitary sewer easement through the subject parcel, and

WHEREAS, Saehill Realty, Inc. acquired title by deed, dated January 26, 1995, from Joseph Mitlof for property known as Map 114, Block A, Lot 19.04, and

WHEREAS, Saehill Realty, Inc. has provided to the Town of Clarkstown a 15 foot wide sanitary sewer easement, as required;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, deed dated July 13, 1995 from Saehill Realty, Inc. to the Town of Clarkstown for a 15 foot wide sanitary sewer easement is hereby accepted and ordered recorded in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to July 13, 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. (532-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that Resolution No. 516-1995, adopted by the Town Board of the Town of Clarkstown on July 11, 1995, is hereby amended as follows:

"RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Rockland County Superintendent of Highways is hereby requested to install:

a STOP sign on Vailshire Circle at Smith Road, Nanuet, New York"

and be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (533-1995)

Co. Mandia offered and Co. Dusanenko seconded

WHEREAS, Section 93-2(A) of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Clarkstown Police Auxiliary has requested permission to dispense alcoholic beverages at its picnic at Lake Nanuet;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Clarkstown Police Auxiliary to dispense alcoholic beverages, in accordance with and subject to Section 93-2(A) of the Town Code of the Town of Clarkstown, which shall be held at Lake Nanuet, Nanuet, New York, on September 10, 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. (534-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a march/rally is being planned for Sunday, August 20, 1995, to commemorate the 75th Anniversary of the 19th Amendment to the Constitution granting women the right to vote, and

RESOLUTION NO. (534-1995) Continued

WHEREAS, the Town of Clarkstown would like to co-sponsor this historic event;

NOW, THEREFORE, be it

RESOLVED, the Town Board hereby authorizes the co-sponsorship of the march/rally being held on Sunday, August 20, 1995, to commemorate the 75th Anniversary of the 19th Amendment to the Constitution granting women the right to vote, at no cost to the Town.

On roll call the vote was as follows:

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

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RESOLUTION NO. (535-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, poison ivy which originates on Town property has become a troublesome problem to several residential properties located between Norwood Place and Blauvelt Road, Nanuet; and

WHEREAS, the Town's Supervisor has directed the Department of Environmental Control to have areas listed above treated by a licensed contractor; and

WHEREAS, the Department of Environmental Control has obtained price estimates for said corrective treatment;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Felter's Tree Service, Inc., 40 Collaberg Road, Stony Point, New York 10980, to perform said corrective treatment for poison ivy in accordance with recommendations of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost for said treatment shall not exceed \$1,500.00 and shall be a proper charge to Account No. A 8090 409.

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. (536-1995)

Co. Dusanenko offered and Co. Maloney seconded

WHEREAS, adverse vegetation growth and unsightly debris exist along the Nanuet train station commuter parking lot; and

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RESOLUTION NO. (536-1995) Continued

WHEREAS, the Town Supervisor has directed the Director of the Department of Environmental Control to have corrective work performed;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Danny Clapp Landscaping, 59 Schriever Lane, New City, New York 10956, to perform said corrective work in accordance with the recommendations of the Department of Environmental Control; and be it

FURTHER RESOLVED, that the cost for said corrective work shall not exceed \$2,000.00 and shall be a proper charge to Account No. A 5650 409.

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. (537-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown Mini-Transit System presently operates with vehicles equipped with "General Cents A Bill Fare Boxes," which have been duly acquired by public bidding, and

WHEREAS, the Supervisor of Transit Opreations has proposed that future purchases of fare boxes for use on board transit vehicles operated by the Town of Clarkstown be restricted and standardized to those manufactured by the manufacturer of "General Cents A Bill Fare Boxes," which have proved reliable and efficient, and

WHEREAS, the Town Board has determined to adopt a resolution pursuant to General Municipal Law §103(5) to standardize on the use of the brand of fare boxes referred to herein for the Town of Clarkstown Mini-Transit System;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby finds, pursuant to General Municipal Law §103(5), that for reasons of efficiency and economy there is need for the standardization to the "General Cents A Bill Fare Boxes" for use in the existing and planned operations of the Clarkstown Mini-Transit System due to the following facts and circumstances:

1. The existing fare boxes have been in use since 1984 with good results.
2. The Town will save money by reducing inventory for spare parts for the existing fare boxes and for future purchases of fare boxes as the parts for old and new models are compatible.
3. The Town's drivers and mechanics are familiar with the operation and repair of the existing brand fare boxes so that standardization will reduce training costs.

RESOLUTION NO. (537-1995) Continued

4. The Town will also save money in the training of Town employees in the repair and installation of new equipment for future vehicles.

5. Standardization will improve overall maintenance procedures and reduce overhead costs.

6. Standardization will reduce down time of Mini-Transit vehicles when repairs to fare boxes are required and, thereby, result in better service to Town residents.

and be it

FURTHER RESOLVED, that the Director of Purchasing of the Town of Clarkstown is hereby authorized and directed to standardize future purchases of fare boxes for use in the Town of Clarkstown Mini-Transit System to the "General Cents A Bill Fare Boxes," and be it

FURTHER RESOLVED, that nothing herein shall authorize dispensing with competitive bidding pursuant to General Municipal Law §103 if multiple sourcing is available.

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. (538-1995)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Rockland County Law Library and the Rockland County Planning Board have requested a copy of the Clarkstown Town Code Book as it is needed for reference and referral purposes,

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown will provide the Law Library and the Planning Board with one copy of the Clarkstown Town Code which will be supplemented, and be it

FURTHER RESOLVED, that this copy will be provided to the Law Library and the Planning Board at no cost. If, however, said Clarkstown Town Code Book is lost or stolen it will be replaced at the Department's expense.

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. (539-1995)

Co. Smith offered and Co. Maloney seconded

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RESOLUTON NO. (539-1995) Continued

WHEREAS, the Building Department has found many illegally placed signs on the Town right-of-ways, and

WHEREAS, these signs present a dangerous visibility problem to motorists, as well as being an eyesore;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Building Department and the Highway Department to remove such illegally placed signs on the Town right-of-ways.

Before roll call Councilman Dusanenko said this is an excellent idea. However, in the past, there have been agencies whether they be town, county or state who have been overzealous in removing anything anywhere. He said as far as he is concerned his signs, 99% of them, are measured and are not on right-of-ways and he will have them arrested for trespassing if they go a little bit too far. He has had his signs taken down. They don't have tar to put on the streets but they put my signs in trucks with tar and he has gotten them back blackened with tar. They don't have tar for the roads but they had it to put on signs and certain other places. He asked that just to clarify before the vote in most places isn't Town right of way 15 feet from the edge of pavements? Superintendent of Highways John Mauro said it depends. Councilman Dusanenko said rarely does the Town right of way go beyond 15 feet from the edge of the pavement.

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. (540-1995)

Co. Smith offered and Co. Dusanenko seconded

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

CENTURY 21 RAND  
268 S. MAIN ST.  
NEW CITY, NY 10956 (56-A-30)

by the installation of fire lane designations, and

WHEREAS, MARSHA RAND, 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

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RESOLUTION NO. (540-1995) Continued

aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown

On roll call the vote was as follows:

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

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RESOLUTION NO. (541-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the County of Rockland, with its principal place of business at 11 New Hempstead Road, New City, New York, owns property known as Dutch Gardens, more particularly described on the Tax Map of the Town of Clarkstown as Map 39, Block A, Lot 15 (part of), which the Town of Clarkstown wishes to designate as an Historical Site pursuant to Chapter 25-3(C) of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on September 12, 1995 at 8:10 P.M., to consider the designation of the aforesaid property as an Historical Site, and be

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (542-1995)

Co. Maloney offered and Co. Smith Seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, DML ASSOCIATES OF NYACK, INC., v. The Assessor of the Town of Clarkstown, New York, the Board of Assessment Review of the Town of Clarkstown, New York, Index No(s). 4385/94, affecting parcel(s) designated as Map 105, Block A, Lot 20, for the year(s) 1994/95, and

WHEREAS, the attorney for the petitioner(s) has

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RESOLUTION NO. (542-1995) Continued

proposed to settle the proceeding(s) and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 105, Block A, Lot 20 be reduced for the year(s) 1994/95 from \$535,000 to \$435,000;
2. That reimbursement for the year(s) 1994/95 on the parcel described as Map 120, Block A, Lot 20 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged; and
3. That all municipal officials of the Town of Clarkstown shall be directed to make necessary notations, changes, amendments and/or corrections necessary to implement this settlement.

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (543-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, NORTH FORK BANCORP. v. THE ASSESSOR, THE BOARD OF ASSESSORS AND THE BOARD OF ASSESSMENT REVIEW OF THE TOWN OF CLARKSTOWN AND THE TOWN OF CLARKSTOWN, Index No(s). 4208/93, 3944/94 and 3793/95, affecting parcel(s) designated as Map 58, Block F, Lot 10, for the year(s) 1993/94, 1994/95 and 1995/96, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with prejudice and without costs, on the following terms and conditions:

1. That the premises owned by the petitioner(s) described on the assessment roll as Map 58, Block F, Lot 10 be reduced for the year(s) 1993/94, 1994/95 and 1995/96 from \$863,000 to \$690,400;
2. That reimbursement for the year(s) 1993/94 and 1994/95 on the parcel described as Map 58, Block F, Lot 10 be made within 60 days through the Office of the Commissioner of Finance. If payment is made within 60 days, no interest will be charged; and

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RESOLUTION NO. (543-1995) Continued

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (544-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to continue the agreement with the St. Thomas Lutheran Church and the County of Rockland, for the rental of the commuter parking lot for a fee of \$600 a month to be divided equally between the Town and County, to terminate on July 1, 1996, and be it

FURTHER RESOLVED,, that this Resolution is retroactive to July 10, 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. (545-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, MICHAEL J. DOLAN & ASSOCIATES have submitted a proposal dated July 16, 1995, to provide television cable consultant services to the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with MICHAEL J. DOLAN & ASSOCIATES, in a form to be approved by the Town Attorney, to provide television cable consultant services to the Town of

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RESOLUTION NO. (545-1995) Continued

Clarkstown. The agreement shall run for a period of one year commencing from the date of signing the agreement, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed the sum of \$5,500.00, which fee shall be charged to Account No. A-1315-409.

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. (546-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Emily Feiner, Director of the Clarkstown Counseling Center, has expressed the need to continue an agreement with Dr. Evelyn Wassermann as a part-time psychiatric consultant to the Clarkstown Counseling Center;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Dr. Evelyn Wassermann to provide medical services as a psychiatric consultant to the Clarkstown Counseling Center, said agreement to be in a form acceptable to the Town Attorney, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to January 1, 1995, and be it

FURTHER RESOLVED, that said agreement shall provide for the following:

- 1) Compensation shall be paid at the rate of \$75.00 per hour, for a maximum of twenty (20) hours per month, and said fee shall be charged to Account No. A-4210-409;
- 2) That Dr. Wasserman shall in all respects cooperate with the Town of Clarkstown in seeking reimbursement from the Division of Substance Abuse Services for said consulting services, and
- 3) The agreement may be terminated on thirty (30) days written notice by the Town of Clarkstown.

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. (547-1995)

Co. Smith offered and Co. Maloney seconded

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RESOLUTION NO. (547-1995)

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations 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 following additional amount in economic assistance for 1995 to:

Camp Venture, Inc.	\$1,500.00
Rockland ARC	200.00

FURTHER RESOLVED, that the total amount of \$1,700.00 be transferred from Account # A 1990-505 to Account # A 8840 424, and be it

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1995 and are to be charged against Account # 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. (548-1995)

Co. Smith offered and Co. Dusenanko seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with the following non-profit organizations 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 following sums in economic assistance for 1995 to:

Clarkstown Garden Club	\$ 500.00
Foster Grandparent Program	700.00
Rockland Community College	2,615.21

FURTHER RESOLVED, that the total amount of \$3,815.21 be transferred from Account # A 1990-505 to Account # A 8840 424.

FURTHER RESOLVED, that these funds are to assist in providing such services for the calendar year 1995 and are to be charged against Account # 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. (549-1995)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the library organizations listed below, in a form approved by the Town Attorney, which provides a service for residents of the Town of Clarkstown which is deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that said library shall receive library assistance, pursuant to §256 of the Education Law of New York State, in the amount of \$3,000.00 for the calendar year 1995.

THE NEW CITY LIBRARY  
VALLEY COTTAGE LIBRARY  
WEST NYACK FREE LIBRARY

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (550-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the West Nyack Memorial Post 126 has requested monetary assistance from the Town for its organization, to defray rent costs, provide funds for parades, memorial services and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 649(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 a year, for 1994 and 1995 (\$500 for leasing or rental and maintenance of meeting facility and \$250 for patriotic observance per year) totalling \$1,500.00 to the following veteran's organization:

West Nyack Memorial                      Post 126

and be it

FURTHER RESOLVED, that claims for such sum shall be made annually by the organization and submitted to the Town Board for audit and disbursement, and be it

FURTHER RESOLVED, that said funds will be charged against Account No. A-6510-401.

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. (551-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, FREDERIC M. LEHRMAN v. TOWN OF CLARKSTOWN, TOWN OF CLARKSTOWN ZONING BOARD OF APPEALS, JOSEPH MARAYA, JR.;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Town Attorney to take all necessary steps to defend said proceeding.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (552-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, JEANNE M. SHAPIRO v. THE TOWN OF CLARKSTOWN, THE COUNTY OF ROCKLAND, THE DISTRICT ATTORNEY OF ROCKLAND COUNTY and THE POLICE DEPARTMENT OF THE TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (553-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, ALSER AMERICA, INC., a/k/a PIERRE BLANCHOT, has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Map 128, Block A, Lots 27 and 28 for the year(s) 1993/94 and 1994/95, and

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

NOW, THEREFORE, be it

RESOLVED, that Karl Kirchner be retained for the

Continued on Next Page

RESOLUTION NO. (553-1995) Continued

purpose of preparing such trial appraisals at a fee not to exceed \$3,000.00 per appraisal.

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. (554-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, PYRAMID CONSTRUCTION COMPANY has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 59, Block A, Lot 20.35 for the year(s) 1993/94, 1994/95 and 1995/96, and

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

NOW, THEREFORE, be it

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

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. (555-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, G.S.I. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 33, Block A, Lot 5.1 for the year(s) 1993/94, 1994/95 and 1995/96, and

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

NOW, THEREFORE, be it

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

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. (556-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, escrows in the amount of \$3,250.00, furnished in connection with the above site (Map 120, Block A, Lot 28), are no longer required and are hereby released to the guarantor.

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. (557-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that upon the recommendation of the Director of Environmental Control and the Building Inspector of the Town of Clarkstown, security posted by the developer in the sum of \$19,000, for the completion of certain items required by the Town in connection with the JOSEPH BOCCA SUBDIVISION, may be released to the guarantor.

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. (558-1995)

Co. Smith offered and Co. Dusanenko seconded

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 216 of the Code of the Town of Clarkstown to remove or rectify violations as reported by the Building Inspector of the Town of Clarkstown on premises reputedly owned by Josue Rivera and Jana Rivera in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as Map 166, Block A, Lot 3.81, and be it

FURTHER RESOLVED, that a public hearing shall be held by the Town Board of the Town of Clarkstown in the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 12th day of September, 1995, at 8:05 P.M., providing that service of Notice, pursuant to Town Code Chapter 216, is made on or before the 28th day of August, 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. (559-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the NYS Government Finance Officer's Association is sponsoring a seminar on August 3, 1995 at the Hotel Thayer, Wesy Point, NY on "Using Credit Cards to Collect Taxes and Other Revenues" and be it

THEREFORE RESOLVED, that Dolores F. Lodico, Deputy Comptroller will attend and that all necessary charges be charged to A 1010 414 (Councilmen-Conferences & Schools).

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. (560-1995)

Co Maloney offered and Co. Smith seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, George Drescher, Highway Maintenance Supervisor, III, is hereby authorized (retroactive) to attend the Satellite Teleconference ("Privatization of Public Works Services") sponsored by the American Public Works Association, to be held on July 19, 1995 at SUNY Westchester Community College, and;

BE IT FURTHER RESOLVED, that all necessary expenses be allocated against appropriation Account No. DB-5110-414.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (561-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendations of the Director of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

Tractenberg Estates Valley Cottage, New York

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (562-1995)

Co. Maloney offered and Co. Smith seconded

RESOLVED that based upon the recommendations of the Director of the Department of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposal from Orange and Rockland Utilities, Inc., for street lighting at the following location:

New Clarkstown Estates  
New Clarkstown Road, Nanuet, New York

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (563-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received \$1,200.00 from TRW-REDI Property Data for a magnetic tape copy of the Town of Clarkstown RPS file, and be it

THEREFORE RESOLVED, to increase estimated Revenue Account No. A 01 9 2770 10 (Fees for Services-Data Processing) and Appropriation Account No. A 1680 314 (Data Processing-Computer Supplies) by \$1,200.00 and be it

FURTHER RESOLVED, to decrease Appropriation Account No. B 8020 313 (Planning-Office Supplies & Prtg.) and increase B 8020 201 (Furniture & Furnishings) by \$250.00

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. (564-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the town of Clarkstown has received \$857.75 from New City Little League, and be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01 3 2001 (General Fund-Park & Recreation) and Appropriation Account A 7140-379 (Signs, Posts) by \$857.75

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. (565-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, various appropriation accounts require additional funding, and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 by \$670.00 and increase the following appropriation accounts:

A 1220 204	(Supervisor-Office Machines)	\$400
A 1220 313	( " -Office Supplies)	200
A 1220 319	( " -Misc. Supplies)	30
A 3310 313	(Traffic Advisory- Office Supplies)	40

and be it

FURTHER RESOLVED, to decrease A 4210 301 (Counseling-Food) and increase A 4210 209 (Other Equipment) by \$34.00, increase Estimated Revenue Account A 01 5 2412 (Rental -Old Police Building) and A 1630 409 (Old Police Bldg. Repairs) by \$5,200.00

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. (566-1995)

Co. Maloney offered and Co. Smith seconded

WHEREAS, various appropriation accounts require additional funding and be it

THEREFORE RESOLVED, to decrease Contingency Account No. A 1990 505 and increase Appropriation Account No. A 1620 438 (Maintenance-Maintenance Agreements) by \$3,595.00.

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. (567-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #47-1995  
Computer/Word Processing Supplies

Continued on Next Page

RESOLUTION NO. (567-1995) Continued

is hereby awarded to:

ADVANTAGE BUSINESS PROD.  
3 CROSS STREET  
SUFFERN, NY 10901  
PRINCIPALS: TAMARA BRISK  
SAM SCHWED  
JUDITH SCHWED

BOUTONS BUSINESS MACHINES  
95 ROUTE 304  
NANUET, NY 10954  
PRINCIPAL: JOHN MAIORANO

CCC DISTRIBUTORS  
PO BOX 651  
BETHEL, CT. 06801  
PRINCIPAL: JOSEPH J. PERRY

PREFERRED BUSINESS FORMS  
635 OLD WHITE PLAINS RD.  
TARRYTOWN, NY 10591  
PRINCIPALS: JAMES KIERNAN  
DENNIS KIERNAN

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. (568-1995)

Co. Maloney offered and Co. Mandia seconded

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

BID #48-1995  
REINFORCED CONCRETE CULVERT PIPE/CONCRETE CATCH  
BASIN BLOCK & BRICK

is hereby awarded to:

VIANINI PIPE COMPANY  
PO BOX D  
SOMERVILLE, NJ 08876  
PRINCIPAL: VIANINI INDUSTRIA  
S.P.A.

FEDERAL BLOCK CORPORATION  
PO BOX 4090  
NEWBURGH, NY 12550  
PRINCIPALS: JOHN MONTFORT  
JULES MIRON

J. DEPAULIS STONE & MASON SUPPLY CO., INC.  
300 ROUTE 303  
CONGERS, NY 10920  
PRINCIPALS: JOSPEH DEPAULIS  
JOHN DEPAULIS

as per the attached item/price schedule

(price list on file in Town Clerk's Office)

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (569-1995)

Co. Maloney offered and Co. Mandia seconded  
Continued on Next Page

RESOLUTION NO. (569-1995) Continued

RESOLVED, that based upon the recommendation of the Town Traffic Safety Engineer and the Superintendent of Highways that

BID #40-1995  
ASPHALT ROADWAY AND SCHOOL DRIVEWAY RESURFACING

is hereby awarded to:

COUNTY ASPHALT INC  
WEST MAIN STREET, PO BOX 96  
TARRYTOWN, NY 10591  
PRINCIPALS: FRANK D. COONEY, JR.  
JOHN T. COONEY

as per their total proposed low bid project cost of \$231,930.00 (\$161,630.00 Town portion - \$70,300.00 Clarkstown School District portion), and be it

FURTHER RESOLVED, that said award is subject to the receipt of the following (in good form) by the Director of Purchasing:

- a) Executed Contract Document (2 copies)
- b) Performance Bond
- c) Labor and Material Payment Bond
- d) Certificates of Contractors Liability, Property Damage Workers Comp., and Disability, and Fire Insurance. The Town must be named as a co-insured on all liability coverage.
- e) Save Harmless Clause

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. (570-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Director of Environmental Control #95098 R.C.N.C.P. which contains the name of Kurian L. Kalarickal,

NOW, THEREFORE, be it

RESOLVED, that Kurian L. Kalarickal, 1 Van Buren Street, Stony Point, New York, is hereby appointed to the position of Director of Environmental Control - Department of Environmental Control - at the current 1995 annual salary of \$82,994.00, effective August 9, 1995.

On roll call the vote was as follows:

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

\*\*\*\*\*

ESOLUTION NO. (571-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Police Lieutenant (Prom.) #93124A which contains the name of Peter T. Noonan.

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Peter T. Noonan, 112 Ridge Street, Pearl River, New York, to the position of Police Lieutenant - at the current 1995 annual salary of \$82,987.00, effective and retroactive to July 3, 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. (572-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #93100 Data Entry Operator I which contains the name of Linda J. Gershon.

NOW, THEREFORE, be it

RESOLVED, that Linda J. Gershon, 24 Seymour Drive, New City, New York is hereby appointed to the position of Data Entry Operator I - Building Department - at the current 1995 annual salary of \$26,371.00, effective August 8, 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. (573-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Data Entry Operator I R.C.N.C.P. #95100 which contains the name of Sheila Fergus Mellon.

NOW, THEREFORE, be it

RESOLVED, that Sheila Fergus-Mellon, 27 Westview Avenue, Congers, New York is hereby appointed to the position of Data Entry Operator I - Town Justice Department - at the current 1995 annual salary of \$30,603.00, effective August 9, 1995.

Continued on Next Page

RESOLUTION NO. (573-1995) 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. (574-1995)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #94095 Clerk Typist which contains the name of Anne M. Ashmore.

NOW, THEREFORE, be it

RESOLVED, that Anne M. Ashmore, 273 Mirth Drive, Valley Cottage, New York, is hereby appointed to the position of Clerk Typist - Purchasing Department - at the current 1995 annual salary of \$19,983.00, effective August 28, 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. (575-1995)

Co. Mandia offered and Co. Smith seconded

RESOLVED, that Thomas E. Bourke, 19 Hereford Lane, New City, New York, is hereby reappointed to the position of - Member - Parks Board and Recreation Commission - to serve without compensation - term effective August 16, 1995 and to expire on August 15, 2000.

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. (576-1995)

Co. Dusanenko offered and Co. Mandia seconded

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

BID #50-1995  
FOUNTAIN AERATOR PUMP

Continued on Next Page

RESOLUTION NO. (576-1995) Continued

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on September 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. (577-1995)

Co. Dusanenko offered and Co. Mandia seconded

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

BID #51-1995  
ASPHALT PAVING

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

\*\*\*\*\*

RESOLUTION NO. (578-1995)

Co. Dusanenko offered and Co. Maloney seconded

RESOLVED, that Resolution No. 441-1995 adopted by the Town Board on June 13, 1995, is hereby amended as follows:

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 Chamber of Commerce, Inc. wishes to adopt Main Street, from Route 304 to New Hempstead Road, New City, New York, and

WHEREAS, it is anticipated that Town money will be

Continued on Next Page

RESOLUTION NO. (578-1995) Continued

saved through the implementation of the volunteer program, in that the New City Chamber of Commerce 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 Main Street, from Route 304 to New Hempstead Road, New City, New York, and to provide and coordinate services by the New City Chamber of Commerce, Inc., to remove trash from the roadway and install two (2) signs identifying the volunteer adopting Main Street.

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. (579-1995)

Co. Maloney offered and Co. Dusanenko seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an intermunicipal agreement with the Town of Orangetown and Rockland County Sewer District No. 1, by the terms of which the Town of Clarkstown will authorize the Town of Orangetown to provide sanitary sewer services to a portion of the Town of Clarkstown north of the Orangetown line and east of the Hackensack River and Conrail Railroad line, and be it

FURTHER RESOLVED, that the Town of Orangetown may be authorized to impose usual customary pretreatment regulations on industrial and commercial users located within the Town of Clarkstown who discharge into the Town of Orangetown sewerage system, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (580-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a hydrant investigation has been made by United Water New York for premises located in an approved site plan known as Knolls East Section 3, designated on the Clarkstown Tax Map as Map 165, Block B, Lot 3, part of the Kingsgate subdivision, and

Continued on Next Page

RESOLUTION NO. (580-1995) Continued

WHEREAS, it has been recommended that two (2) 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 The Knolls East Limited Partnership, as owner, in the form of a Declaration of Covenant, which shall run with the land, as approved by the Town Attorney, whereby The Knolls East Limited Partnership, or its successor(s) in interest shall pay the water service charges of United Water New York, 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 The Knolls East Limited Partnership, located in the hamlet of Nanuet, for the condominium site plan known as Knolls East Section 3, 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 The Knolls East Limited Partnership, 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 levied 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 Maloney.....Yes  
Councilman Mandia.....Yes  
Councilwoman Smith.....Yes  
Supervisor Holbrook.....Yes

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RESOLUTION NO. (581-1995)

Co. Dusanenko offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Ralph Lauria, whereby Ralph Lauria agrees to provide services to the Department of Environmental Control on an advisory and consultative basis, consistent with the terms of said contract, for the period from August 7, 1995 to October 6, 1995, and be it

FURTHER RESOLVED, that this Resolution is retroactive to August 7, 1995.

On roll call the vote was as follows:

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

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RESOLUTION NO. (582-1995)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Town Attorney to commence litigation on behalf of the Town of Clarkstown against JEAN MARCEUS, ET AL, for maintaining premises as a boarding house in violation of the Zoning Ordinance of the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution shall be retroactive to August 3, 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. (583-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Shoreline Medical Billing Systems, Inc. acts as the service organization for the towns of Orangetown, Ramapo and Clarkstown to process insurance claims for basis and advanced life support services provided by volunteer ambulance corps and Rockland Paramedic Services, Inc. and,

WHEREAS, it is necessary that the Town of Clarkstown have a limited scope audit to obtain reasonable assurance that Shoreline has the necessary controls and procedures in place to provide reliance that the billing is proper and,

WHEREAS, the Town of Orangetown and Ramapo will share the costs and be it

THEREFORE RESOLVED, that Edward J. Duer, Comptroller, may enter into an agreement with Mark A. Cygielman, Certified Public Accountant, 1 Teal Court, New City, NY to audit Shoreline for a cost not to exceed \$2,500.00 to the Town of Clarkstown.

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. (584-1995)

Co. Smith offered and Co. Maloney seconded

WHEREAS, it is necessary for the Town of Clarkstown to obtain actuarial services for implementation of GASB 10 (Governmental Accounting Standards Board) for fiscal year ending December 31, 1995 and

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RESOLUTION NO. (584-1995)

WHEREAS, Financial Risk Analysts, 27 Hartford Turnpike, Vernon, Ct., is a nationally known actuarial consulting firm providing services to public entities nationwide related to self-insurance and GASB 10, and be it

THEREFORE RESOLVED, that Edward J. Duer, Comptroller, may enter into an agreement for two years with Financial Risk Analysts at a cost not to exceed \$5,000.00 each year plus reasonable out-of-pocket expenses.

Co. Dusanenko asked if this was to check the bills or to see what we have in reserves. Supervisor Holbrook stated that it was to see what we have in reserves and in everything else.

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. (585-1995)

Co. Maloney offered and Co. Dusanenko seconded

WHEREAS, LOOMIS J. GROSSMAN and RISSA W. GROSSMAN 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 a PO District to an CS District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 123, Block D, Lot 4.01;

NOW, THEREFORE, be it

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, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on September 26, 1995, at 8:05 P.M., relative to the proposed amendment, and be it

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

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

RESOLUTION NO. (585-1995)

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. (586-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Legislature, through Resolution No. 701 of 1993, has accepted Federal Transit Administration Section 9 capital and operating assistance grant funds from the U.S. Department of Transportation to be used in part for the purpose of purchasing buses for mass transportation in Rockland County, and

WHEREAS, by Resolution adopted by the Town Board on December 30, 1994, the Supervisor was authorized to enter into an agreement with the County of Rockland to provide for State funding for the purchase of buses and spare parts for the Clarkstown Mini-Trans, and

WHEREAS, the County of Rockland Department of Transportation has been advised by the State of New York that they have approved a change in the scope of the number of buses which may be purchased pursuant to the Federal Transit Administration Section 9 capital and operating assistance grant funds, and

WHEREAS, the change in the scope of such agreement will permit the Town of Clarkstown to acquire additional buses;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an amended agreement with the County of Rockland, in a form satisfactory to the Town Attorney, to facilitate State funding for the purchase of additional buses and related equipment described in said resolution.

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. (587-1995)

Co. Smith offered and Co. Dusanenko seconded

WHEREAS, the Town of Clarkstown has adopted real property tax exemptions for senior citizens to the extent permitted by the State of New York, and

WHEREAS, these exemptions are based in part on annual income eligibility levels that are unreasonable considering the high cost of living in Clarkstown and the entire New York Metropolitan area,

RESOLUTION NO. (587-1995) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown calls upon all New York State officials with particular initiative from Governor George Pataki, State Senator Joseph Holland and Assemblyman Alexander Gromack to adjust the minimum income eligibility levels so that more Clarkstown senior citizens will be eligible to apply for the partial property tax exemptions they so rightfully deserve and need.

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. (588-1995)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, negotiations have been ongoing between the Bargaining Team for the Town of Clarkstown and the Bargaining Team for the Rockland County Patrolmen's Benevolent Association, Inc. for a successor to the 1992-1994 Agreement between the parties, and

WHEREAS, those negotiations have resulted in a tentative agreement contained in a Memorandum of Agreement dated August 8, 1995, and

WHEREAS, the membership of the PBA has ratified the Memorandum of Agreement, and

WHEREAS, the Town Board of the Town of Clarkstown has reviewed the terms of the Memorandum of Agreement and find that a settlement consistent with the terms contained therein is in the best interest of the Town;

NOW, THEREFORE, be it

RESOLVED, that the Board of the Town of Clarkstown hereby approves and ratifies the terms of the aforesaid Memorandum of Agreement and hereby authorize the Town Supervisor to execute a Collective Bargaining Agreement consistent with the terms thereof, and be it

FURTHER RESOLVED, that the Town Attorney is hereby authorized and directed to file a copy of the executed Collective Bargaining Agreement with the Public Employment Relations Board.

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. (589-1995)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the conditions complained of in the Order and Notice, dated June 5, 1995, regarding premises designated on the Tax Map of the Town of Clarkstown as Map 56, Block A, Lot 22.24, have been corrected, and be it

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

On roll call the vote was as follows:

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

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:50 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/8/95

8:25 P.M.

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

Re: Proposed Water Extension District (Pepperidge Drive and Rise Road, New City)

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

Supervisor stated that this is a proposal to try to bring fire protection to an area that apparently doesn't have it and this public hearing is a first step to get some public input to see what the situation is and how we can go about this. We have some representatives from Spring Valley Water Company here who could answer questions.

Appearance: Mr. Robert Lesser  
1 Rise Road  
New City, New York 10956

Mr. Lesser asked what the safety reasons are. He questioned the rebate. Supervisor said there is a certain amount of money it would cost to extend the water district into these roads depending upon how much of it you extend into it. If it goes through the entire neighborhood, there are a number of people that could if they wished hook up to Spring Valley Water. It costs a certain amount to extend the main. For every person that would hook up the cost would be diminished to extend the main by approximately \$4,500.00. He said as he understands it the full cost to do the entire thing would be about \$85,000.00. He said he believes there are about 10 or 11 homes that could potentially hook up. In the best of all possible worlds, if we did the whole thing, everybody hooked up it would be \$4,500.00 times 12 subtracted from \$85,000.00.

Mr. Lesser said does that mean that unless everyone hooked up there is no rebate -- Supervisor said there would be a window of opportunity for people to hook up.

Appearance: Mark Rothenberg  
United Water of New York (formerly Spring Valley Water Company)

Mr. Rothenberg said the Town has requested information from us to extend fire protection to this area. We have provided them with an estimate of what we feel the cost would be to provide the main and fire protection that would protect the properties which are not now protected. The rules and regulations which we operate under as regulated by the Public Service Commission of New York would allow the Town to get a credit for each person who happened to connect to the service for the cost of this extension. As the Supervisor has indicated, the estimated cost is \$85,000.00. The exact cost would not be known until the actual construction. Based upon unit costs and the average frontage of a home involved there we estimate that each person that would hook on to it that if they took service off of this line that was put in for fire protection the Town would receive a credit of approximately \$4,500.00. The exact amount would depend upon what the actual cost would be when this is completed. The payment to the

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company would then be reduced by that amount. He presumed comparable issues would be raised, as were previously raised in other areas, there would be a time frame for this. We are required to receive payment for this and the Town would make that payment and then the repayment from those within the protected district would be reduced if more people signed on. The individual does not get a rebate.

Supervisor said ultimately the Town in this case, and we have done a couple of other districts, acts as the bank in essence. We pay the water company and then the amount gets reduced and then ultimately however many people hook up there is a bottom line and then that would be spread out over that particular district. Mr. Duer, Comptroller said he believed there is a ten year window of opportunity to sign up. Supervisor said what about the paying back of the amount. Mr. Duer said that would be determined whether it would be fifteen years or twenty years, etc. Mr. Duer said but that would be something that you would have to sit down and agree to. Bonding counsel would have to advise the terms. Supervisor said we would try to do it for as long as possible.

Mr. Lesser asked as to where the placement of the hydrants would be?

Appearance: Mr. Paul (?)  
United Water of New York

He said what is proposed is the northwest corner of Rise and Pepperidge.

Mr. Lesser said when you say proposed it is obviously not etched in stone at this point. It could be changed. Supervisor said they come up with a schematic and right now this would be the location.

It was stated that it could be in excess of the \$85,000.00 or it could be less. Supervisor said we have done another district where there was a window of opportunity. We did petition the state for some monies which were used to offset some of it so if there is a willingness on the part of the public to pursue this and if they feel it is important, we can make it happen with as little pain, so to speak, as possible. We are not looking to maximize this. The fact is that United Water Company would do the job which in itself would be a savings because they can do it cheaper than the Town can do it.

Mr. Lesser asked who is going to repair the road? Is it going to be repaved after this is done? Supervisor said it would have to be resurfaced after the job was done by the Town. Mr. Lesser said what is the time frame for that. Supervisor said as soon as the job gets done and the water service is in if there is sufficient drainage in the street - we check that to make sure that was in and then we would do it. There is another job we are just completing on Parrott Road and they are putting some drainage in and after that we will repave those roads. Once the job is completed the Town will resurface those roads. Again Mr. Duer said he would check with bonding counsel to ascertain what the maximum number of years would be for the spreading of this cost.

Mr. Lesser said he would assume that there will be no vote on this tonight and Supervisor said no this is just for information but we want to lay out the picture and have people ask questions and get some answers.

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and Rise Road, New City 8/8/95  
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Appearance: Mr. Jeff Burger  
5 Rise Road  
New City, New York 10956

Mr. Burger said some of the homes at the end of Rise are already on city water. How will that impact on this rebate since they don't need city water? Supervisor said he understands that the connections that some of those residents have are to Trotter's Trail in the back which are not very sufficient so they could hook up to this. He asked could they be credited to? Someone answered that there are three lots in the cul-de-sac that are connected to Derby. If they elected to connect to a new main in Rise Road we would be glad to do that. Supervisor said otherwise they would not. Mr. Burger said so theoretically it could be only 9 rebates instead of 12 rebates so that the tax impact on the remaining 9 would be that much higher. Supervisor said it would be if they didn't but he thinks the fact is that given some of the conditions that exist with those particular hook ups he believes they would hook into this.

Appearance: Ms. Giselle Goober  
6 Pepperidge Drive  
New City, New York 10956

She said some years ago there was a proposal to hook up to the sewers. She said she just spent \$1,000.00 for a new tank this year. There is nothing wrong with her water. She does not want to be hooked up. Supervisor said she did not have to be. Ms. Goober asked what impact that would have? Who is going to pay for this? Supervisor said ultimately for the extension of the water district residences within the district would pay? Ms. Goober said meaning who? Supervisor said the properties within the district. Ms. Goober said there is nothing wrong with her well. Supervisor said the individual hook up to the home from the spur that is provided if you wish to hook up, the homeowner would do it. If we went ahead with the district there are some people like yourself who might not want to hook up to water. The spur would be available. You could use your well as long as you want. You don't have to hook up. Ms. Goober said would she still be responsible for paying some of this cost to the Town? Supervisor said yes, because you would be in the district. Ms. Goober asked why? Supervisor said because you would be a beneficiary of the fire protection afforded by the hydrant as you would be a benefitted property. Ms. Goober said it is at her property that you want to do this as she is at the corner of Pepperidge and Rise. She said she really feels that it should be up to the individual homeowner to vote on this. Supervisor said it could be because it is subject to permissive referendum and ultimately you could have a referendum in the district if the Town Board went ahead with the district and a number of people wanted to have a vote on it, you could petition to have a vote and then ultimately the majority would rule.

Ms. Goober asked whose decision this was to hook up to the water company? Supervisor said it was no one's decision. It was brought forth by a number of residents to propose it. We said we would take a look at it. We asked for information. We can't do anything without a public meeting which is why we are having this. Ms. Goober asked if the people who had asked for this are the people who are having trouble. Supervisor said some of them, yes. Supervisor said there were also concerns that there were no hydrants in that particular area. Ms. Goober asked how much it would mean to

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her house. She will not hook up. Supervisor said she did not have to but it would depend on the ultimate cost of the project. If nobody hooked up it would be \$85,000.00 divided by 12 homes over 20 years. The likelihood of that occurring is small. Obviously if nobody wanted it we would be crazy to create the district. But let's say 7 or 8 people hook up then you would reduce that amount by about \$35,000.00 and then that cost would be subtracted from the \$85,000.00 and you would have say \$50,000.00 spread over 12 homes over 20 years. Ms. Goober said if you have a vote on that, does majority rule? Let's say there are 12 homes and 3 wanted it, that would be 9 didn't want it and 3 wanted it. Supervisor said if you had a referendum on that the district would not be created. It's very democratic. The Town Board could create the district. You could have a petition and force a referendum and then have a vote and it would be by a majority of people in the district.

Councilman Mandia said if \$85,000.00 is correct and it is an estimate, that is about \$7,000.00 per home for 12 homes spread over 15 or 20 years. If all 12 homes hooked up to domestic water that would remove about \$54,000.00 from the \$85,000.00 and reduce it to something like \$2,600.00 per home payable over however many years. It would be up to the bonding counsel. This would not be a personal loan. It would have to go through the Comptroller's office and bonding counsel, etc. Councilman Mandia said he doubted they would give you 15 years to pay back \$2,600.00. The Town Board can do this without a majority vote. Permissive referendum the Supervisor refers to is a formal document that you have to file. He did not want anyone to be misled by that. We don't need anybody's permission. If we think you need fire hydrants there and we could be dead wrong or politically stupid but the fact of the matter is we can't do that. Don't think that if the majority of the residents write letters to the Supervisor opposing it that it is just going to stop it. If the Town Board wished to do so, and he doubts they would, but if we did you would need a formal permissive referendum to be filed with the Town Attorney's Office. Please understand that.

Supervisor said if you did that and the majority of the residents in a secret ballot voted not to create the district then it would not be created.

Ms. Goober said she pays almost \$7,000.00 a year. She said she makes \$40,000.00 and that is her income. She feels it is very wrong to ask people to pay for something that the majority don't want. Some people have trouble with their wells but if they want that fixed, do what she does and pay for it and have it dug deeper. She said she owns an acre property on Rise Road. She said her house is on a quarter of it. The rest stands under water. She feels this is something that shouldn't be done and she shouldn't be paying for it.

Supervisor said that's why we have a public meeting and are taking your comments into consideration.

Appearance: Mr. Angelo Speranza  
6 Rise Road  
New City, New York

Mr. Speranza said he checked with his insurance broker and he believes that if we have a hydrant in the area

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the amount that we would be paying over the course of the years you might see coming back to you in a decrease in homeowner's insurance. He was told that if you have a hydrant within so many feet you could save some dollars on your policy. It may be a wash in the expense of all of this.

Appearance: Ms. Trudy Kramer  
4 Rise Road  
New City, New York 10956

Ms. Kramer said she was one of the 3 homes that so far has been lucky. She has had no problem. She said if you don't go ahead with this extension of the water district would you put in the fire hydrants? She has lived there for 17-1/2 years and has called the Fire Department and the Town and were told not to worry about it as I am within 1,000 feet of a hydrant on Jersey Lane. She said is the purpose of this whole arranging to tell people that they need a hydrant or is it the extension of a water district? She said 9 people have wells and 3 people do not. She said she wants to selfishly say she would like it but there are 9 other people. She feels the primary purpose is the hydrant or is it a package put together? Supervisor said a hydrant is of primary concern. There are hydrants on Derby Lane.

Supervisor said in one district we were able to get money from the state to offset some of the cost of that district based on the fact that we were extending fire protection. If we were to proceed with this we would also apply to the state to get some of that money for the extension of fire protection to help further reduce the cost. The amount that we did get in one district was \$25,000.00 but of course he could not guarantee that. Senator Holland put it in the state budget and that went through and was used to offset the cost of that installation. If there is a willingness to proceed there are different ways maybe to crack the problem in terms of the cost.

Ms. Kramer asked if it would be beneficial to the water company to just put in a hydrant and forget about the extension of the water district? Supervisor said the Town could extend the water district but the cost to bring you in would still have to be borne by that specific district, whether everybody hooked up or nobody hooked up. She felt that 17-1/2 years ago the Town should have been responsible for having a hydrant put in. Supervisor said it is possible that at time there was no water available but he was just not sure. Some parts of Town aren't sewer because the sewer is just not there. If you had a new subdivision today water would be constructed by the developer and then of course the cost would be spread over the price of the homes as they sold.

Ms. Kramer said her deed gives easements to other lots. What will happen to that easement? Supervisor said let's assume that we put the district in and everybody hooks up to the water, that easement could be extinguished. It would not be needed any longer.

Councilman Mandia said he did not think that the Town Board is going to do anything that the majority of the people are not in favor of. If everyone looks at the numbers, if they are right, you are talking about \$2,600.00. If we can get Senator Holland once again or Assemblyman Gromack or the Governor or the President or someone to help us with some kind of program - he couldn't say that we are - but it would make

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the price even lower. What Mr. Speranza said is true. Normally, your insurance rates will go down. The ability to finance your home when you want to sell it or refinance it improves. The value of your home will improve. We don't want what happened a year ago on Mallard Drive where firemen tried to find a pond to suck up water to get into the truck to get the two kids out of the house. We don't want that. You are talking about \$2,600.00 that will probably double in terms of return on investment in the value of your home. Not to mention the fact if your well fails, if something goes wrong with the ground water to correct that situation would cost far more than \$2,600.00 financially - aggravation - forget about it. You can agree or disagree but when you look at the numbers that the gentleman from United Water gave you and all the estimates it is something that he would consider personally. He said he does not believe for a minute that this Town Board is going to do anything that the residents don't want. That would be foolhardy at the very least.

Appearance: Mr. Bill Ikin  
5 Pepperidge Drive  
New City, New York 10956

Mr. Ikin said he is against this. He has a well and is totally satisfied with it. There is a fire hydrant at the corner. There is another fire hydrant where they just put in new houses. He is satisfied and he does not want this.

Appearance: Mr. Terry Galligan  
Strawtown Road  
New City, New York 10956

Mr. Galligan said he is two houses off Pepperidge. He said he is completely satisfied right now with the way his property is protected. He said he would like to see more in writing about what this proposal is all about. He said he is very concerned that 12 people are sharing the cost of this. If it is a safety issue and there is water on Strawtown Road now why didn't they hook up the fire hydrants then. Supervisor said he did not know if it was available. Mr. Galligan said when he first asked about water they had it up to Derby Lane. When he called at that time Spring Valley said I would have to pay over \$1,500.00 and that's going back two years ago. Within a short period of time without any notification they put the lines down Strawtown Road. By the time he had even heard about it it was too late to hook up to it and then it was a big job and I am concerned that is going to happen to me again.

Supervisor said we can come up with a sheet that will show under the worst case scenario in terms of cost what it would be if nobody hooked up, if 7 people, etc. and we can send that out to people. Mr. Galligan asked if he would be notified as he had been now if there is going to be a vote on it? Supervisor said absolutely.

Appearance: Mr. Pete Prestegaard  
300 Strawtown Road  
New City, New York 10956

Mr. Prestegaard said he just put in a new well in the last year and we have water. We have a nearby hydrant. We have the fire insurance rebate. There is absolutely no need for this from his standpoint. He said he sympathizes with the people down Pepperidge Drive who may want to have it but we shouldn't be in it.

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Appearance: Mr. Andy VanHise  
3 Pepperidge Drive  
New City, New York 10956

Mr. VanHise said he is surprised that the first time he ever received a letter from the Town Board is this one inviting me to have some water for \$85,000.00. The problem he has with that is that he already has a hydrant about 126 feet away and if that isn't enough to save his house he has swimming pools all around his house. If there is a really big inferno we have Lake DeForest about two houses away. In short, if you bring me any more water I will have to build an ark. He said, as far as drinking water, he has been hearing on the news lately about how we are all supposed to be conserving water because we want to avoid a drought. My suggestion to you is to take the water you want to bring to me and distribute it to all of your other constituents and let them each take an extra ten seconds in the shower or have an extra glass of water because for me the water I get from my well is at least as pure as what I would get from Spring Valley Water and I think it is a lot cheaper also. He confessed that he really hasn't been watching what the Town Board has been doing since they all came into office and I trust you have devised many splendid schemes but my role in being here tonight is to inform you that this is not one of them.

Appearance: Mr. Bruce Birnbaum  
7 Rise Road  
New City, New York 10956

Mr. Birnbaum said he thinks this all came about because we have had problems with the water in the cul-de-sac. Those are the 3 homes that were put in probably about 17 years ago. (Remarks made by Mr. Birnbaum as to meters were inaudible.) He noted that about 5 years ago there was a water connection which burst with ensuing problems with drinking water and other water coming into his home. He had to repair that at a cost of about \$2,500.00. Last year the same thing happened to his next door neighbor at a cost of \$2,500.00. He said his water is now in the same condition and should be repaired at a cost of \$2,500.00. From what we are led to believe our drinking water is being fed to us through plastic pipe which is not of the right caliber and supposedly should not have been down the first time around. That is what the problem is. He thinks it was done incorrectly when the 3 homes in that cul de sac were built originally. He said we are in jeopardy of losing the drinking water and the water coming into our homes because you never know if it is going to break now or 10 feet down the line. This was done incorrectly when the homes were built.

Councilman Dusanenko asked how many homes of the 12 have an immediate or feel they have an immediate problem with the water service or the wells that they have now? He was told 3. He said when Ms. Kramer spoke earlier she had mentioned that she has recorded easements on her property that if there is a need her property could be traversed. Is there water service over Ms. Kramer's property to your homes now? He was told yes. He asked if that was where the deficiency is? He was told yes. He said those 3 houses with the most pressing need - their level of service is insufficient or substandard on Ms. Kramer's easements - is the main problem for that area. Is that correct?

Appearance: Mr. Joseph Cetrone  
Advance Plumbing & Heating

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Mr. Cetrone said the 3 homes you are talking about are fed by 3 one inch plastic lines from Derby Lane. They are a 400 foot line. Right now Mr. Birnbaum's line is leaking and he has about 60% pressure into his house. That has been leaking for about 5 months. He said he dug it up 5 months ago and showed him where the clamps are broken off the plastic pipe. He in turn called Spring Valley Water at that time. They came out and inspected it and the water is still running down the road. In fact it is running down the storm drain. He is in danger of losing his water tonight.

Mr. Burger returned and stated that those with wells could also have repairs. If there is no electricity we have no water. If the plumbing in the 3 homes on the cul-de-sac did not meet specs when the houses were built then that is the Town's responsibility or the water company's responsibility. He said he has had repairs on his well during the last 17 years and if added up would probably be about \$2,500.00. He said he is not complaining. He is happy with his well. His water is clean and if there is a problem with the plumbing at the cul-de-sac then it is the responsibility of whoever put it in. If it is plastic pipe that doesn't meet specs then it should be replaced by the person who did it.

At this point there was dialogue between members of the public and the Town Board as to homeowner's responsibility, Town responsibility and water company responsibility.

Councilman Mandia said it seems to him that if there are only 3 houses having a problem we should look for an alternate solution working with United Water to help those 3 houses. Obviously, the other residents are not in need of it. He asked the Supervisor if there is an alternative option? Supervisor called upon Mr. Rothenberg of United Water.

Mr. Rothenberg said as a matter of information as the Supervisor just stated it is the responsibility of the property owner from the property line to their homes. We bring the service to the property line and from that point on it is the homeowner's responsibility.

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the public hearing was adjourned, sine die, time: 9:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/8/95

9:06 P.M.

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

Re: Amendment to Town Code to Clarify Uses Permitted in LIO Districts

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

Supervisor called upon Mr. Robert Geneslaw, Clarkstown Planning Consultant to give an overview since this was done on a motion of the Town Board.

Mr. Geneslaw said this amendment does not change the zoning map at all and it does not change the uses permitted by right in the LIO District. What it does do is to provide that manufacturing would be permitted in the LIO District only upon a special permit issued by the Town Board after public hearing. All manufacturing activities would have to be conducted within the enclosed building and there could be no noise or odors emanating from the building itself. That basically is the substance of the amendment. The reason it is being suggested is that we all know it is getting increasingly difficult to get industry into the northeast and into the County and where we have an opportunity in some cases to have manufacturing firms within the Town, we haven't been able to because of the nature of what is permitted by right in the LIO District. This would broaden the uses in the district a little bit. It provides the protection the Town Board would have to issue a special permit.

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

Appearance: Mr. Russell Trojan  
Nanuet, New York 10954

Mr. Trojan said the Town of Clarkstown is not a balanced community. We are saturated with shopping. With an ever decreasing availability of land for industry this code change will increase the flexibility for industry. For these reasons he would support the change. As a neighbor of an LIO District he said he had reservations. There has been fumes and noise in the past so there is no guarantee. He said he accepted the burden of living next to an LIO District. It has been stated that the special permit will require a public hearing. The notification process for a public hearing is flawed and needs to be improved. Notices are sent to banks and mortgage companies where people deposit their escrow money and pay their taxes not to the residents. That has to change. Supervisor said he is not sure that is the case but he asked Mr. Fogel, Deputy Town Attorney, to clarify this. Mr. Fogel said they go to the property cards in the Assessor's office and the banks are not listed in the normal course of events as owners of real property.

Mr. Trojan said there is also the issue of tenants where the property owner may get the notification living in Florida or Arizona or even another part of Rockland County but has tenants occupying the home. They will not be notified. Neighboring businesses and employees will have to bear the burden of having one type of facility next door and having

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PH - Re: Amendment to Town Code to Clarify Uses Permitted in  
LIO Districts 8/8/95  
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manufacturing added later. Who will notify those employees for their opinion of having their neighboring business changed? Improve the notification process to the public hearings for the special permits and get full input of all affected.

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, RESOLUTION ADOPTED, time: 9:15 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

(RESOLUTION NO. 528-1995 ADOPTED)

TOWN OF CLARKSTOWN  
VIOLATION HEARING

Town Hall

8/8/95

9:16 P.M.

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

Re: Violation on Premises Map 76, Block A, Lot 12.28 (Naclerio  
3 Acorn Terrace, New City, New York)

On motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the violation hearing was declared open. Deputy Town Attorney stated that there was an affidavit of posting on file.

Supervisor said this was on a motion of the Town Board about property that has not been maintained properly. He called upon Ms. Irene Saccende to give her report.

Appearance: Ms. Irene Saccende (sworn)  
Code Inspector

Ms. Saccende read the following report:

"August 8, 1995

FROM: Irene M. Saccende  
Code Enforcement Officer III

TO: Clarkstown Town Board

RE: Property: Map 76 Block A Lot 12.28  
Location: 3 Acorn Terrace, New City, New York  
Owner of Record: Frederick & Vincent Naclerio

Please be advised an inspection of the above described property, this date at approximately 1:45 PM, showed the front yard grass had been cut, however, the south side yard, the rear yard and the area directly behind the house are overgrown with weeds, scattered piles of leaves in the rear yard, plus miscellaneous litter and debris on the south side yard and the rear yard,. Also, in the northerly rear yard there is a collapsing metal shed, some eight (8) tires and old air conditioner. Please see pictures and notations on same.

This property has been an eyesore for over a year, maintenance has been minimal to nonexistent, I would recommend the Town cleanup this property. The structure maintenance will have to come under the jurisdiction of the Courts.

IMS

Copy to Adolph A. Milich, Jr., Building Inspector  
Philip Fogel, Acting Town Attorney"

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

Appearance: Mr. Gene Olson  
7 Acorn Terrace  
New City, New York 10956

Mr. Olson stated that he has been a resident of Clarkstown for twenty-nine years. He has known the owners of the house since he lived there. Those houses were put up in 1960. He moved in in 1962. The house has not been vacant for one year but for two years. It has been flooded. There is no gas. There is no water connected to the house. The asbestos

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shingles are breaking off. It is not only a structural hazard but a health hazard. It was cleaned up a little bit a few weeks ago - the lawn was cut down. It is an eyesore as you can see by the photos. The other houses are carefully maintained. This is a detriment if anyone wants to sell. He said he would like to have something done with this house.

Appearance: Mr. Frank Zambetti  
2 Derby Lane  
New City, New York 10956

Mr. Zambetti stated he was in the building business. He would like to get in the house and take a look at it. He said maybe he could renovate the house if it is not too structurally damaged. Supervisor said he would imagine this house has to be in some form of foreclosure. Mrs. Saccende said the taxes are paid and are up to date. Mr. Olson said he begged to differ. He had been to the County Clerk's Office and they were 2 years in arrears. He said the County Treasurer's Office states they have paid 25% and are paying back whatever figure it is. They are not up to date and had not paid any taxes until recently. Supervisor said then the County hasn't taken it for taxes yet. Mr. Olson said they can't under the law. Supervisor said then there is no foreclosure proceeding on this property. Mr. Olson said not unless they neglect to pay taxes.

Supervisor asked if there was an address for the property owner as the property owner is not present. He said they would get the property owner's address for Mr. Zambetti but in the meantime the Town intends to act on this. It was stated that an attempt was made to contact the owners but there was no response. Town Attorney said mail addressed to them by certified mail from the Town Attorney's Office was returned by the post office.

Councilman Dusanenko said Supervisor Holbrook was kind enough to have a similar hearing a few meetings ago on another property very close to the Town Hall. This was my suggestion since one of the neighbors brought this house on Acorn to my attention. He said he has another one for a future meeting that makes this one look like a castle. It is also abandoned. The Town can take action if we can contact the owner. If we can't contact the owner can we take corrective action. Deputy Town Attorney said we can take corrective action because there was proper statutory posting. Councilman Dusanenko said if we can take the proper action at least for the cosmetics for the benefit of the people he thinks everybody would be willing to do so. As far as Mr. Zambetti acquiring the house he would have to make overtures to the owners. How people can leave a property that still has value and still pay tax on it and neglect it from a business standpoint - at least put a tenant in there even if you didn't have the rent - just to make the repairs on it. That is something Mr. Zambetti may want to do as an individual but the Town can't get involved. We could have someone take care of the cosmetics for the safety and to secure the building but that's it right now. Otherwise we would be going beyond our legal right.

At this point there was discussion among members of the audience, the Town Board, etc.

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Supervisor said there are two aspects to this. One is the property maintenance which is the outside. There are other things in Justice Court, is that correct? He asked Ms. Saccende what are those things that are in Justice Court? Ms. Saccende said the building maintenance itself - various hazards. It should be brought up in Justice Court within the month. Supervisor asked could the neighbors be brought in as witnesses. Mrs. Saccende said only if the owner is there and asks for a trial, then witnesses can be presented. Deputy Town Attorney said if there is no trial then there is nobody to testify. Supervisor said we could get you the date when the hearing is before the Justice Court. It would be helpful for a few people to be present at that time.

Councilman Mandia said the action we take tonight will clear up the outside and make it presentable.

Appearance: Mr. Gotlib  
1 Acorn Terrace  
New City, New York 10956

Mr. Gotlib said there is a man who wants to take over the house. We are going to be spending our money to make it look like it's not lived in. Who knows for how long because people have been unable to get in touch with the owners for two years. There seems to be no interest to move that property at all. What is going to happen is that there will be years and years or courts, etc., and in the meantime we are all paying for this. No one is going to go in there and mow it for free. Supervisor said we are going to put a lien on the property and when the property is sold the Town will be make get back the expenses. Supervisor said we can go in and clean it up but we can't confiscate this property. The Town pays now, we put a lien and when that property is sold we are then made whole from the proceeds of that sale.

Supervisor said this just defies logic but whatever logic there is at work we can go in and make it look better.

There being no one further wishing to be heard on motion of Councilwoman Smith, seconded by Councilman Maloney and unanimously adopted, the Violation Hearing was declared closed, RESOLUTION ADOPTED, time: 9:30 P.M.

Respectfully submitted,

  
PATRICIA SHERIDAN,  
Town Clerk

(RESOLUTION NO. 529-1995 ADOPTED)