

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

8/13/96

8:00 P.M.

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

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

Supervisor Holbrook declared the Public Portion of
the meeting open and invited anyone who wished to speak to come
forward.

Appearance: Steve Fetner
Upper Nyack

Mr. Fetner spoke against the Pyramid Mall expansion.
Mr. Fetner polled the Town Board members.

Appearance: Shirley Lasker
West Nyack, NY

Ms. Lasker spoke against the Pyramid Mall being the
largest mall in America in the smallest County in New York. She
requested that the Town Board Members attend the next Planning
Board meeting.

Appearance: Marilyn Lieber
Pomona, NY

Ms. Lieber spoke regarding feral cats and geese and
also about broker for the golf course, Smith farm, and property
on Routes 59 and 303.

Appearance: Linda Rauer
Valley Cottage, NY

Ms. Rauer spoke about Pyramid's control of the
media and government. They should withdraw their expansion
request.

Appearance: Sharon Hitman
Congers, NY

Ms. Hitman thanked Supervisor Holbrook for his
support against the mall. She inquired about Safety Klean and
its location on Snake Hill Road.

Appearance: George Rumelt
New City

Mr. Rumelt read notes on Pyramid's building
policies. He inquired about Exit 12 of the NYS Thruway which is
a public road and will enter and exit in and out of the mall.

Appearance: Jack Cuff
West Nyack

Mr. Cuff spoke re: broker for Safety Klean and the
integrity of the Town Officials.

Appearance: Doug Bowen
Valley Cottage, NY

Mr. Bowen objected to a sub set of seven people
imposing their will on the Town. He called for a referendum.

Appearance: Michael Zack
West Nyack, NY

Mr. Zack stated there was tremendous opposition and questioned how this benefitted the Town. He questioned the qualitative and quantitative issues that Pyramid would have to prove.

Appearance: Bruce Broadly
West Nyack, NY

Mr. Broadly asked questions about Safety Klean, golf course, compost property and if a business case was being done on the golf site. He questioned the legality of the May 24, 1996 STBM.

Appearance: Martin Bernstein
New City, NY

Mr. Bernstein stated there was now a Rockland County Chamber of Commerce. He questioned a proposed amendment to the zoning ordinance.

Appearance: Scott Romer
West Nyack, NY

Mr. Romer was concerned about traffic on West Nyack Road and the quality of life.

Appearance: Barbara Zwynenburg
West Nyack, NY

Ms. Zwynenburg was concerned about increased traffic and trucks on the Tappan Zee Bridge.

Appearance: Evan Lane
Nanuet, NY

Mr. Lane is opposed to the Mall and concerned about the real estate impact on his property.

Appearance: Philip Landrigan, Esq.
Attorney for Rockland Co. Civic Assoc.

Mr. Landrigan questioned the STBM of May 24th and the sale of Virginia, Besso, egress roads, etc. He stated that these roads should not be sold to Pyramid unless they withdraw their proposal for expansion and have same stated in a covenant.

Appearance: Lisa Lockwood
Upper Nyack, NY

Ms. Lockwood inquired why it was so easy to change the Town's zone laws and requested that the Town Board stop the expansion.

Appearance: Steven Churchill
Nyack, NY

Mr. Churchill complained about the traffic now and cannot make a left hand turn out of his driveway. He questioned what will happen when the Mall is in.

Appearance: Maryanne Brancatelli

Ms. Brancatelli spoke regarding traffic and noise on local roads and the inability of secondary roads to handle Pyramid's traffic.

RESOLUTION NO. (688-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board Minutes of July 9, 1996 and August 5, 1996 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (689-1996)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, a proposal has been received from Korn, Rosenbaum, Phillips & Jauntig LLP, certified public accountants, to continue providing audit services to the Town of Clarkstown, and

WHEREAS, past experience with this firm has proven satisfactory,

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to enter into an agreement, in a form satisfactory to the Town Attorney, with Korn, Rosenblum, Phillips & Jauntig LLP for audit services for the years ending December 31, 1996 and December 31, 1997, and be it

FURTHER RESOLVED, that the fees for such services shall be \$30,750 for the year ending December 31, 1996, \$31,500 for the year ending December 31, 1997, and charged to Account A-1320-409.

On roll call the vote was as follows:

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

RESOLUTION NO. (690-1996)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with NYNEX, in a form approved by the Town Attorney, for the Intellipath II Digital Centrex Service at the Clarkstown Highway Department.

On roll call the vote was as follows:

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

RESOLUTION NO. (691-1996)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, by Order dated July 9, 1996, the Town Board approved the extension of public fire protection service to the area of Rise Road, New City, New York, and

WHEREAS, the Town of Clarkstown has requested that United Water New York install mains and fire hydrants for the purpose of providing public fire protection service in the area of Rise Road, New City, New York,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Supervisor Holbrook to enter into an agreement with United Water New York, in a form satisfactory to the Town Attorney, to provide mains and fire hydrants for the purpose of providing public fire protection service in the area of Rise Road, New City, New York, and be it

FURTHER RESOLVED, that this Resolution is retroactive to June 11, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (692-1996)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, in 1992, the New York State Department of Environmental Conservation approved Rockland County's (the "County") Final Integrated Solid Waste Management Plan and Generic Environment Impact Statement (the "SWMP/GEIS"); and

WHEREAS, the SWMP/GEIS sets forth a strategy that relies upon multiple waste management methods and facilities, including recycling; and

WHEREAS, the Rockland County Solid Waste Management Authority (the "Authority") was formed in accordance with section 2053(c) et seq. of the Public Authority Law of the State of New York (the "State"), and resolution no. 301 of 1994 of the County Legislature to implement certain provisions of the SWMP/GEIS and to construct solid waste management facilities; and

WHEREAS, the County has determined that the implementation of a materials recovery facility (1) will assist the County in meeting the goals of the SWMP/GEIS in the reduction, recycling and reuse of certain portions of the solid waste stream, (2) is a long term, reliable and an environmentally and economically acceptable means to process recyclables, and (3) is in furtherance of the public health, welfare and safety; and

WHEREAS, the current management practices in the County for the processing of commingled recyclables vary among local jurisdictions in the County; and

Continued on next page

RESOLUTION NO. (692-1996) Continued

WHEREAS, the Authority has determined to construct a materials recovery facility (the "Facility") to process commingled recyclables, to be located in Ramapo, New York to provide a long term, reliable and environmentally sound means of processing commingled recyclables and to assist the County in meeting its State-mandated goal of reduction, recycling and reuse of certain portions of the solid waste stream; and

WHEREAS, the TOWN OF CLARKSTOWN has determined to deliver or cause the delivery to the Facility of its commingled recyclables by entering into an intermunicipal recyclables management agreement (the "Intermunicipal Recyclables Management Agreement") with the Authority whereby the Authority will provide to the TOWN OF CLARKSTOWN the service of processing such commingled recyclables delivered to the Facility;

NOW, THEREFORE, be it

RESOLVED, by the TOWN OF CLARKSTOWN that the Supervisor of the TOWN OF CLARKSTOWN is hereby authorized to execute and deliver the Intermunicipal Recyclables Management Agreement with the Authority. The Intermunicipal Recyclables Management Agreement shall be substantially in the form presented at this meeting with such amendments, modifications, changes and omissions thereto as the Supervisor may approve as in the best interests of the TOWN OF CLARKSTOWN and not inconsistent with the terms of this resolution; and the execution of the Intermunicipal Recyclables Management Agreement shall constitute conclusive evidence of the valid authorization hereunder of any such amendment, modification, change or omission, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to execute and deliver any and all other papers, instruments, opinions, certificates, affidavits and other documents, and to do and cause to be done any and all acts necessary or proper in connection with or for carrying out this resolution and the execution and delivery of the Intermunicipal Recyclables Management Agreement.

On roll call the vote was as follows:

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

RESOLUTION NO. (693-1996)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement, in a form approved by the Town Attorney, with each of 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 1996 to:

Home Aides of Rockland \$1,400.00
Big Brothers/Big Sisters
of Rockland County, Inc. \$1,000.00

Continued on next page

RESOLUTION NO. (693-996) Continued

FURTHER RESOLVED, that the total amount of \$2,400.00 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 1996 and are to be charged against Account #A 8840-424.

On roll call the vote was as follows:

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

RESOLUTION NO. (694-1996)

Co. Mandia offered and Co. Profenna seconded

Authorizing the implementation and funding of a State "Marchiselli" Program-aid eligible transportation federal-aid project, to fully fund the local share of federal and state-aid eligible and ineligible project costs and appropriating funds therefor.

WHEREAS, a Project for the Signalization of Roads in the Town of Clarkstown identified as PIN 8755.32 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the Town of Clarkston desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of Preliminary Engineering and Right-of-Way Incidental Work for the Project or portions thereof, with the federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to Agreement; and it is further

NOW, THEREFORE, the Town Council, duly convened does hereby

RESOLVE, that the Town Council hereby approves the Project; and it is hereby further

RESOLVED, that the Town Council hereby authorizes the Supervisor of the Town of Clarkstown to pay in the first instance the full non-federal share of the cost of Preliminary Engineering & Right-of-Way Incidental Work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$11,000.00 is hereby appropriated and made available to cover the cost of participation in Preliminary Engineering and Right-of-Way Incidental work of the Project; and it is further

RESOLVED, that in the event the non-federal share of the costs of the project exceed the amount appropriated above, the Clarkstown Town Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Town Supervisor thereof, and it further

Continued on Next Page

RESOLUTION NO. (694-1996) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Town of Clarkstown with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Clarkstown's first instance funding of the non-federal share of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it further

RESOLVED, this Resolution shall take effect immediately.

On roll call the vote was as follows:

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

RESOLUTION NO. (695-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to retain the services of Atzl, Scatassa and Zigler, Land Surveyors, P.C. for the surveying services related to the Cranford Drive flood amelioration project at an amount not to exceed \$4,800.00 and this expense shall be charged to Account # H 1994-409-0-14-22.

On roll call the vote was as follows:

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

RESOLUTION NO. (696-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, JOY BUILDERS, INC., as successor in interest to VALLEY COTTAGE MACHINERY CORP., v. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK AND THE BOARD OF ASSESSMENT REVIEW FOR THE TOWN OF CLARKSTOWN, Index No(s). 4122/95 and 4303/96, affecting parcel(s) designated as Map 123, Block B, Lot 12 and Map 123, Block C, Lot 3, for the year(s) 1995/96 and 1996/97, and

WHEREAS, the attorney for the petitioner(s) has proposed to settle the proceeding(s) and discontinue with

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RESOLUTION NO. (696-1996) Continued

prejudice and without costs, on the following terms and conditions:

1. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 123, Block B, Lot 12 be reduced for the year(s) 1995/96 and 1996/97 from \$66,300 to \$53,000;

2. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 123, Block C, Lot 3 be reduced for the year(s) 1995/96 and 1996/97 from \$162,400 to \$160,000;

3. That reimbursement for the year(s) 1995/96 on the parcels described as Map 123, Block B, Lot 12 and Map 123, Block C, Lot 3 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

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (697-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, PAUL MUNI REALTY, INC. v. TOWN OF CLARKSTOWN, its Assessor and Board of Assessment Review of the TOWN OF CLARKSTOWN, New York for 1992, 1993, 1994 and 1995 Assessment Rolls, Index No(s). 5813/92, 4352/93, 4932/94 and 3975/95, affecting parcel(s) designated as Map 57, Block D, Lot 10, for the year(s) 1992/93, 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 assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 57,

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RESOLUTION NO. (697-1996) Continued

Block D, Lot 10 be reduced for the year(s) 1992/93 and 1993/94 from \$219,000 to \$197,100;

2. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 57, Block D, Lot 10 be reduced for the year(s) 1994/95 and 1995/96 from \$219,000 to \$203,700;

3. That reimbursement for the year(s) 1992/93, 1993/94, 1994/95 and 1995/96 on the parcel described as Map 57, Block D, 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

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (698-1996)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes Robert Stritmater, Director of Automated Systems, to attend the Novell Certified Training Classes being given in September and October, 1996, in Paramus, New Jersey, and be it

FURTHER RESOLVED, that the amount of \$2,885.00 for such training shall be charged to Account A-1680-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (699-1996)

Co. Profenna offered and Co. Maloney seconded

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RESOLUTION NO. (699-1996) Continued

RESOLVED, that Josephine A. Walsh, Senior Stenographer, and Donna A. Butson, Clerk, are hereby authorized to attend a one-day seminar entitled: "The Exceptional Assistant," to be held at the Colonial Manor, Old Tappan, New Jersey, on Wednesday, October 23, 1996, and be it

FURTHER RESOLVED, that all necessary expenses be allocated against appropriation Account No. A 1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (700-1996)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, Brian Connolly, CSW, Clarkstown Counseling Center, attend "Eye-Movement Desensitization and Reprocessing" training on October 4-6, 1996 at Parsippany, New Jersey - \$355.00

On roll call the vote was as follows:

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

RESOLUTION NO. (701-1996)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, Rudolph J. Yacyshyn, Chairman of the Clarkstown Planning Board, is hereby authorized to attend the New York Planning Federation Conference to be held in Syracuse, New York, September 29 - October 2, 1996. All fees shall be charged against Department of Planning Account # B 8020, lines 404 and 414.

On roll call the vote was as follows:

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

RESOLUTION NO. (702-1996)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that John F. Mauro, Superintendent of Highways, is hereby authorized to attend the 67th Annual Conference, sponsored by New York State Association of Town Superintendents of Highways, Inc., to be held in Callicoon, New York, September 24-27, 1996, and be it

RESOLUTION NO. (702-1996) Continued

FURTHER RESOLVED, that all necessary expenses be allocated against appropriation account No. A-1010-414.

On roll call the vote was as follows:

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

RESOLUTION NO. (703-1996)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Medway Avenue, Congers, New York, is shown on a map of a portion of Medway Avenue, dated January, 1996, prepared by the Department of Environmental Control;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts dedication of 1,013 L.F. of Medway Avenue, Congers, New York, more particularly described on the attached Schedule "A."

On roll call the vote was as follows:

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

RESOLUTION NO. (704-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the permanent easements concerning the Barmore Hill Sanitary Sewer Project - MBSIA #2 for the following properties:

Map 138, Block H, Lots 13, 14

Map 138, Block H, Lot 17

DAUKSZA
High Street
Valley Cottage, N.Y. 10989

STERNGASS/ARC ASSPOATES
High Street
Valley Cottage, N.Y. 10989

On roll call the vote was as follows:

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

RESOLUTION NO. (705-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, as a condition to the approval of the

Continued on Next Page

RESOLUTION NO. (705-1996) Continued

final map with regard to a site known as ORCHARD STREET MALL, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Orchard Street, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated June 27, 1996 from Israel Herskowitz and Judith Herskowitz and Binyomin Herskowitz to the Town of Clarkstown, gratuitously conveying a strip of land along Orchard Street, Nanuet, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

On roll call the vote was as follows:

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

RESOLUTION NO. (706-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, as a condition to the approval of the final map with regard to a site known as NORMANDY VILLAGE CO., the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Church Street, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated June 19, 1996 from Normandy Village Co. a/k/a Normandy Village Company, a New York general partnership, to the Town of Clarkstown, gratuitously conveying a strip of land along Church Street, Nanuet, New York, is hereby accepted and ordered recorded in the Rockland County Clerk's Office.

On roll call the vote was as follows:

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

RESOLUTION NO. (707-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that pursuant to the provisions of Local Law No. 9 of 1996, the Town Board of the Town of Clarkstown find that Detectives Quinn, Cummings and Dietrich were acting in the proper discharge of their duties and within the scope of their employment in the Federal Court matter entitled, Agee v. Detective Charles Quinn, et al, 95 Civ 1555, and therefore, the Town will indemnify and hold said officers harmless from an award of damages, inclusive of punitive or exemplary damages, from any negligent act or other tort allegedly committed with respect to this case.

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RESOLUTION NO. (707-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (708-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a request has been made by Mary C. Zwernemann, that the Superintendent of Highways and the Town Board of the Town of Clarkstown take action pursuant to Section 205 of the Highway Law to declare that a certain portion of right-of-way as shown on a survey entitled, "Survey Map for Zwernemann, Congers, Town of Clarkstown, Rockland County, New York, dated February 14, 1990, prepared by Robert R. Rohnfeld, P.L.S., as shown on Schedule "A" attached, and described in the metes and bounds description for the unimproved portion of LAWRENCE STREET, Congers, New York, upon the grounds same has never been used by the public and therefore may be deemed abandoned, and

WHEREAS, said road appears on the Official Map of the Town of Clarkstown and said applicants have further requested that such allegedly abandoned roads be deleted from same, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider the determination of abandonment pursuant to Section 205 of the Highway Law and deletion from the Official Map of the Town of Clarkstown pursuant to Section 273 of the Town Law of said portions as described above;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on September 24, 1996, at 8:05 P.M., pursuant to Section 273 of the Town Law, to consider said certification of abandonment pursuant to Section 205 of the Highway Law and deletion of same from the Official Map, and be it

FURTHER RESOLVED, that notice of the time, place and purpose of said public hearing be published in the official newspaper of the Town and posted in the manner provided by law, and be it

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

FURTHER RESOLVED, that the applicant shall fulfill the additional requirements of Section 290-33(C) of the Zoning Ordinance of the Town of Clarkstown regarding the posting of additional notice of said public hearing and mailing of notices to property owners of record within five hundred (500') feet of the affected property, and be it

FURTHER RESOLVED, that a copy of this resolution be referred to the Rockland County Commissioner of Planning and to the Clarkstown Planning Board, for their report and recommendations, and be it

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RESOLUTION NO. (708-1996) Continued

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

On roll call the vote was as follows:

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

RESOLUTION NO. (709-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, TOWN OF HAVERSTRAW and TOWN OF STONY POINT, v. MICHAEL D. ZAGATA, in his official capacity as COMMISSIONER, et al:

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

RESOLUTION NO. (710-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, FRANCIS X. FOLEY and ANN FOLEY v. THE ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN;

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

RESOLUTION NO. (711-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, In the Matter of the Application of WILLIAM AND JENINE HECKMAN v. ARNOLD AMSTER, JOHN FELLA, NICHOLAS DESANTIS, JOSEPH HIRSCHFELD, PAUL BAMBARA, EDWARD MISTRETTA, Constituting the Chairman and members of the ZONING BOARD OF APPEALS OF THE TOWN OF CLARKSTOWN, ROCKLAND COUNTY, NEW YORK, for an Order Pursuant to Article 78 of the CPLR;

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

RESOLUTION NO. (712-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, pursuant to the authority of Town Law § 198 (10) (f) (b), the Town Board of the Town of Clarkstown has the authority to fix a fee schedule for the purpose of providing ambulance service for persons requesting use of such services;

NOW, THEREFORE, be it

RESOLVED, that the following schedule shall apply in providing ambulance services:

- 1. For basic life support services, the sum of \$350.00, plus \$5.00 per mile;
- 2. For advanced life support services, the sum of \$450.00, plus \$5.00 per mile.

On roll call the vote was as follows:

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

RESOLUTION NO. (713-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, YABOO FENCE COMPANY, INC. has petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioner, from a PO District to an CS or LS District, and

WHEREAS, said property is designated on the

RESOLUTION NO. (713-1996) Continued

Clarkstown Tax Map as Map 89, Block C, Lot 44;

NOW, THEREFORE, be it

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on September 10, 1996, at 8:05 P.M., relative to the proposed amendment, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (714-1996)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes Howard Lampert, Traffic Engineering Consultant to design a traffic signal for the area of Phillips Hill Road and North Main Street, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (715-1996)

Co. Maloney offered and Co. Mandia seconded

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

PIPELINE INC.
15 Conklin Drive
Stony Point, New York 10980

RESOLVED, that the following Certificate of Registration be issued:

No. 96-25 PIPELINE INC.

On roll call the vote was as follows:

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

RESOLUTION NO. (716-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown is the owner of premises which is located between the properties known as Map 74, Block A, Lots 31 and 43, Cardinal Court, West Nyack, New York, which appears to be surplus property and unnecessary for any Town purposes;

NOW, THEREFORE, be it

RESOLVED, as follows:

1. That the area located between properties known as Map 74, Block A, Lots 31 and 43, is hereby declared surplus property.
2. That the Town Attorney of the Town of Clarkstown is authorized to obtain an appraisal of the value of said property for the purpose of offering said property for sale.

On roll call the vote was as follows:

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

RESOLUTION NO. (717-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Howard L. Lampert, Traffic Engineering Consultant, has recommended that a stop sign be installed at the intersection of Joy Drive and Bliss Drive, Valley Cottage, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a stop sign at the intersection of Joy Drive and Bliss Drive, Valley Cottage, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (718-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Howard L. Lampert, Traffic Engineering Consultant, has recommended the installation of a guide rail on the east side of Brewery Road opposite Laurel Road, on the Town right of way in front of the evergreen trees presently in place at this location, New City, New York;

RESOLUTION NO. (718-1996) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Superintendent of Highways to install a guide rail on the east side of Brewery Road and opposite Laurel Road, on the Town right of way, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (719-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board of the Town of Clarkstown wishes to place four (4) ton weight limit restrictions on Green Road, West Nyack, New York, which is a County road;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby requests the County of Rockland to install sign for four (4) ton weight limit restrictions on Green Road, West Nyack, New York, which is a County Road.

On roll call the vote was as follows:

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

RESOLUTION NO. (720-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #55-1996
CONCRETE CULVERT PIPE
CONCRETE BLOCK & BRICKS

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 August 30, 1996 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (721-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #56-1996
ROUTE 9W WEST SANITARY SEWER CONSTRUCTION

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 5, 1996 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (722-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #57-1996
FOREST BROOK & HOLLAND DRIVE
PUMP STATION RECONSTRUCTION

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, 1996 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (723-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #58-1996
MILLCREEK & PIPETOWN HILL ROAD
SANITARY SEWER CONSTRUCTION

Continued on Next Page

RESOLUTION NO. (723-1996) 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 9, 1996 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (724-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #59-1996
HAZMET VEHICLE BODY FOR POLICE DEPARTMENT

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 16, 1996, 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (725-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID # 60-1996
COMPRESSED GASES & WELDING SUPPLIES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on September 12, 1996 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.

Continued on Next Page

RESOLUTION NO. (725-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (726-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #47-1996
ROUND RIVETED CORRUGATED STEEL CULVERT PIPE

is hereby awarded to:

CHEMUNG SUPPLY CO.
PO BOX 527
ELMIRA, NY 14902
PRINCIPALS: HERMAN WARSHAW
MYRA S. STERMERMAN

(Price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (727-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #48--1996
ALUMINIZED STEEL TYPE 2 CULVERT PIPE

is hereby awarded to:

VELLANO BROTHERS
PO Box 837
Beacon, NY 12508
PRINCIPALS:

Joseph M. Vellano, Pres.
James A. Vellano, Secy/Treas

CHEMUNG SUPPLY
PO Box 527
Elmira, NY 14902
PRINCIPALS:

Herman Warshaw
Myra Sterman

EXPANDED SUPPLY

RD #1 Box 93
Cold Spring, NY 10516
PRINCIPALS: Bruce Kehr, President
Donna Kehr

(Price schedule on file in Town Clerk's Office)

Continued on Next Page

RESOLUTION NO. (727-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (728-1996)

Co. Mandia offered and Co. Maloney seconded

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

BID #51-1996
COMPUTER/WORD PROCESSING SUPPLIES

is hereby awarded to

INTELLIGENT DECISIONS
SYSTEMS, INC.
2125 Center Ave. Suite 405A
Fort Lee, NJ 07024
PRINCIPAL: Daniel Mohan

STAPLES BUSINESS ADVANTAGE
45 East Wesley St.
S. Hackensack, NJ 07606
PRINCIPAL: Public Corporation

VALIANT IMC
PO Box 3171
S. Hackensack, NJ 07606
PRINCIPALS: Sheldon Goldstein
Martin Siegal
Marilyn Pernick

CAMBRIDGE DATA SUPPLIES
1 Hollywood Ave., Bldg 24
Ho-Ho-Kus, NJ 07423
PRINCIPALS: John Connolly
Ann Connolly

ADVANTAGE BUSINESS PROD
3 Cross Street
Suffern, NY 10901
PRINCIPALS: Tamara Brisk
Sam Schwed
Judith Schwed

(Price schedule on file in Town Clerk's Office)

On roll call the vote was as follows:

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

RESOLUTION NO. (729-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that based upon the Asst. Supt. of
Recreation & Parks and the Director of Purchasing, that

BID #53-1996
GROUP PICNIC SHELTER - CONGERS LAKE PARK

is hereby partially awarded as follows:

Continued on Next Page

RESOLUTION NO. (729-1996) Continued

General Construction awarded to:
ROBERT RUNGE CONSTRUCTION, INC.
277 Rockland Lake Road
Valley Cottage, NY 10989
PRINCIPALS: Robert Runge
Patricia Runge

as per their proposed project cost of \$89,890.00 and be it

RESOLVED, that this award is subject to the receipt
of

- a) Performance Bond
- b) Labor/Material Payment Bond
- c) Certificate of Contractors Liability, Property
Damage and Workers Comp. Insurance coverage

and be it

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

BID #53A-1996
GROUP PICNIC SHELTER - CONGERS LAKE PARK
(PLUMBING & ELECTRICAL ONLY)

said 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 3, 1996 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 Maloney.....	Yes
Councilman Mandia.....	Yes
Councilman Profenna.....	Yes
Councilwoman Smith.....	Yes
Supervisor Holbrook.....	Yes

RESOLUTION NO. (730-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board has committed to the
construction of drainage improvements in an area of Valley
Cottage, more specifically on Christian Herald Road, and

WHEREAS, the Board has accepted a proposal for the
installation of said improvements, and

WHEREAS, in order to provide for the accurate
installation of said improvements the Department of
Environmental Control has solicited a proposal for stakeout
services, and

NOW, THEREFORE, be it

RESOLVED, that the director of Environmental
Control is hereby authorized to retain the firm of Guterl and
Greenwell to provide stakeout services at a cost not to exceed
\$1,750.00.

Continued on Next Page

RESOLUTION NO. (730-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (731-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town Board authorized the solicitation of proposals for the referenced bid by resolution dated July 2, 1996, and

WHEREAS, three (3) firms submitted proposals in response to the solicitation, and

WHEREAS, the Department of Environmental Control, the Town Attorney's Office and the Director of Purchasing have reviewed the proposals received, and

WHEREAS, the review indicates that the Contract can be awarded to the low bidder.

NOW, THEREFORE, be it

RESOLVED, as follows:

1. The Town Board accepts the proposal submitted by EMES Heating & Plumbing Cont., Inc./4R Construction Joint Venture, and further

2. Authorizes the Supervisor to enter into contract with EMES Heating & Plumbing Cont. Inc./4R Construction Joint Venture for the bid amount of one hundred twenty three thousand (\$123,000.00) dollars to perform the work and further

3. Directs the Director of Purchasing to notify said Contractor of the acceptance of the proposal by the fastest possible means, and further

4. Designates the Director and/or the Deputy Director, Design of the Department of Environmental Control to act as "Engineer" as defined in the Bid Documents.

On roll call the vote was as follows:

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

RESOLUTION NO. (732-1996)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, various Appropriation Accounts require additional funding, be it

Continued on Next Page

RESOLUTION NO. (732-1996) Continued

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01-14-2999 (General Fund-Unexpended Balance) by \$23,510 and increase the following Appropriation Accounts:

A 1010-414 (Councilmen-Conference & Schools) ... \$ 1,000.00
A 1990-505 (Contingency Account) \$22,510.00

and be it

FURTHER RESOLVED, to decrease A 9000-802 (Police Retirement) and increase A 9000-409 (Employee Benefits--Fees for Services) by \$2,400; decrease A 9710-710 (Interest-Serial Bond) and increase A 9710-720 (Interest-BAN'S) by \$20,418; and decrease CS 9040-420 (Workman's Comp-Insurance Premiums) and increase CS 9050-807 (Unemployment Insurance) by \$3,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (733-1996)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, various appropriation accounts require additional funding, be it

THEREFORE RESOLVED, to increase Estimated Revenue Account No. A 01-9-2705 (General Fund-Gifts & Donations) and Appropriation Account No. A 3230 319 (DARE-Misc. Supplies) by \$4,000, and be it

FURTHER RESOLVED, to transfer \$5,665 from Reserve Account No. A 887 (Reserve for DWI) to Appropriation Account No. A 3120-293 (Police Law Enforcement Equipment).

On roll call the vote was as follows:

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

RESOLUTION NO. (734-1996)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, various Appropriation Accounts require additional funding, be it

THEREFORE RESOLVED, to decrease Appropriation Account No. A 1680 409 (Data Processing-Fees for Service) and increase A 1680 110 (Salaries) by \$48,000.

On roll call the vote was as follows:

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

RESOLUTION NO. (735-1996)

Co. Profenna offered and Co. Maloney seconded

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

THEREFORE RESOLVED, to decrease Appropriation Account No. A 1640 461 (Town Garage-Elec. & Gas) and increase A 1640 219 (Misc. Equip.) by \$500.00

On roll call the vote was as follows:

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

RESOLUTION NO. (736-1996)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, various appropriation account numbers require additional funding, be it

THEREFORE RESOLVED, to decrease Appropriation Account No. A 4210-114 (Counseling-Part-time Salaries) by \$3,500 and increase Appropriation Account A 4210-201 (Furniture & Furnishing) by \$3,000 and Appropriation Account No. A 4210-407 (Equipment Repair) by \$500.00

On roll call the vote was as follows:

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

RESOLUTION NO. (737-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the base percentages, current percentages and current base proportions for the levy of taxes on the 1996 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for percentages and proportions are attached.

On roll call the vote was as follows:

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

RESOLUTION NO. (738-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown, in accordance with the provisions of Section 1903 of the Real Property Tax Law, hereby establishes the adjusted base proportions for the levy of taxes on the 1996 Assessment Roll for the Town of Clarkstown, and be it

FURTHER RESOLVED, that said figures for such proportions are attached.

On roll call the vote was as follows:

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

RESOLUTION NO. (739-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Lee A. Davies,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Lee A. Davies, 3 Park Avenue, Congers, New York, to the position of (temporary) Police Officer - Police Department - at the current 1996 annual salary of \$33,985.00, effective and retroactive to June 3, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (740-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Earl F. Lorence, II,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Earl F. Lorence, II, 14 Fanley Avenue, New City, New York, to the position of (temporary) Police Officer - Police Department - at the current 1996 annual salary of \$33,985.00, effective and retroactive to June 3, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (741-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Frederick J. Parent,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Frederick J. Parent, 13 Foxcroft Drive, Nanuet, New York, to the position of (temporary) Police officer - Police Department - at the current 1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (742-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Daniel M. Burke,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Daniel M. Burke, 24 Clark Drive, Spring Valley, New York, to the position of (temporary) Police officer - Police Department - at the current 1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (743-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Jacqueline M. Kelly,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Jacqueline M. Kelly, 9 Crownlyn, Court, Bardonia, New York, to the position of (temporary) Police Officer - Police Department - at the current

Continued on Next Page

RESOLUTION NO. (743-1996) Continued

1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (744-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Christopher L. Maloney,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Christopher M. Maloney, 53 Amundsen Lane, New City, New York, to the position of (temporary) Police Officer - Police Department - at the current 1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (745-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of Daniel J. Chazan,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Daniel J. Chazan, 24 Whitewood Drive, New City, New York, to the position of (temporary) Police Officer - Police Department - at the current 1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (746-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #92150 Police Officer which contains the name of James A. McCormick,

NOW, THEREFORE be it

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of James A. McCormick, 45 Old Middletown Road, New City, New York, to the position of (temporary) Police Officer - Police Department - at the current 1996 annual salary of \$33,277.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (747-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on August 7, 1996 that the position of Clerk (Temporary) - Planning Department - can be created - for period not to exceed three (3) months,

NOW, THEREFORE, be it

RESOLVED, that the position of Clerk - (Temporary) Planning Department - is hereby created - for a period not to exceed 3 months - effective and retroactive to August 7, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (748-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Chairman of the Planning Board of Diane Papenmeyer, 221 Strawtown Road, West Nyack, New York, to the position of Clerk (temporary) - Planning Department - at the current 1996 hourly rate of \$13.50 - effective and retroactive to August 7, 1996 - for a period not to exceed 3 months.

On roll call the vote was as follows:

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

RESOLUTION NO. (749-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #96059 Real Property Appraiser which contains the name of Robert W. Davies,

NOW, THEREFORE, be it

RESOLVED, that Robert W. Davies, 707 Eagle Valley Road, Tuxedo, New York is hereby appointed to the (permanent) position of Real Property Appraiser - Assessor's Office - at the current 1996 annual salary of \$45,977.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (750-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #96059 Real Property Appraiser which contains the name of Philip M. Platz,

NOW, THEREFORE, be it

RESOLVED, that Philip M. Platz, 4 Venter Lane, Nanuet, New York is hereby appointed to the (permanent) position of Real Property Appraiser - Assessor's Office - at the current 1996 annual salary of \$36,820.00, effective and retroactive to July 29, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (751-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the resignation of Christine Y. Collins, 27 Fredric Street, Nanuet, New York - Clerk Typist (part time) Clarkstown Counseling Center - is hereby accepted - with regret - effective August 21, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (752-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Cynthia Shaw, 62 Sixth Avenue, Nyack, New York, is hereby appointed to the position of (Provisional) Counselor (Municipal Counseling Services) - Clarkstown Counseling Center - at the current 1996 annual salary of \$30,269.00, effective September 3, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (753-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Kathleen C. Costello, 41 Spring Hill Terrace, Chestnut Ridge, New York, is hereby appointed to the position of (part-time) Counselor (Municipal Counseling Services) at the current 1996 hourly rate of \$18.50 - effective August 14, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (754-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Arnold Amster, 4 Cygnet Lane, P.O. Box 573, Valley Cottage, New York, is hereby reappointed to the position of Member - Zoning Board of Appeals - at the current 1996 annual salary of \$2,250.00, term effective and retroactive to July 9, 1996 and to expire on July 8, 2001.

On roll call the vote was as follows:

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

RESOLUTION NO. (755-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Dr. David Kelly, 735 Jacqueline Drive, Valley Cottage, New York, is hereby reappointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term effective August 16, 1996 and to expire on August 15, 2001.

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RESOLUTION NO. (755-1996) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (756-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Ann Costello, 3 Spruce Street, Nanuet, New York, is hereby reappointed to the position of Member - Parks Board and Recreation Commission - to serve without compensation - term effective August 16, 1996 and to expire on August 15, 2001.

On roll call the vote was as follows:

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

RESOLUTION NO. (757-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on August 12, 1996 that the position of Senior Clerk - Personnel Office - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Clerk - Personnel Office - is hereby created - effective August 19, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (758-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Lorian Macaylo, 7 Huffman Road, Valley Cottage, New York, is hereby appointed to the position (Provisional) Senior Clerk - Personnel Office - at the current 1996 annual salary of \$32, 679.00, effective pending Rockland County Personnel Office approval.

On roll call the vote was as follows:

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

RESOLUTION NO. (759-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on August 9, 1996 that the position of Environmental Resource Specialist - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Environmental Resource Specialist - Department of Environmental Control - is hereby created - effective August 14, 1996, and be it

FURTHER RESOLVED, that the grade for the position of Environmental Resource Specialist - is hereby established at a grade 30.

On roll call the vote was as follows:

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

RESOLUTION NO. (760-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Ronald E. Haelen, Route 211 W, R.D. #7, Box 234, Middletown, New York, is hereby appointed to the position of (Provisional) Environmental Resource Specialist - Department of Environmental Control - at the current 1996 annual salary of \$39,423.00, effective pending Rockland County Personnel Office approval.

On roll call the vote was as follows:

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

RESOLUTION NO. (761-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel has furnished Certification of Eligibles #96001 Receptionist which contains the name of Patricia E. Parke,

NOW, THEREFORE, be it

RESOLVED, that Patricia E. Parke, 73 Third Street, New City, New York, is hereby appointed to the position of (Permanent) Receptionist - Supervisor's Office - at the current 1996 annual salary of \$20,533.00, effective August 14, 1996.

On roll call the vote was as follows:

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

RESOLUTION NO. (762-1996)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Maintenance Bond Nos. 023000255 in the amount of \$20,000 and 023000256 in the amount of \$40,000, furnished in connection with the dedication of the road(s) and improvements on December 31, 1992 in a subdivision known as Camelot, Sections I and II, are hereby terminated; and the bonds may be released to the guarantor, subject to receipt by the Town Attorney's office of a Letter of Credit to the Town in the amount of \$10,000; said Letter of Credit to be approved by the Town Attorney prior to the release of the bonds.

On roll call the vote was as follows:

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

RESOLUTION NO. (763-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, CHAMPION INTERNATIONAL has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 52, Block A, Lot 3.2 for the year(s) 1996/97, 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 Maloney.....Yes
Councilman Mandia.....Yes
Councilman Profenna.....Yes
Councilwoman Smith.....Yes
Supervisor Holbrook.....Yes

RESOLUTION NO. (764-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, GANNETT, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 107, Block A, Lot 13 for the year(s) 1996/97, 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

Continued on Next Page

RESOLUTION NO. (764-1996) Continued

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

RESOLUTION NO. (765-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Section 140-3 of the Town Code entitled, "Firearms," gives permission to the Town Board to adopt a resolution granting permission for shooting activities in the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes Thomas Maglaras, Nuisance Wildlife Control Agent, to fire 15 MM Screamer Siren (ICBM), Bird Banger (ABM), or similar cartridges for the purpose of discouraging geese from Town parks.

On roll call the vote was as follows:

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

RESOLUTION NO. (766-1996)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Director of Environmental Control to hire a contractor to clean out the easement located at 1 Westgate Boulevard, New City, New York.

On roll call the vote was as follows:

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

RESOLUTION NO. (767-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, MARTIN FELDI and JOSEPH DeLUCA have applied to the Clarkstown Board of Appeals for a variance, which Appeal (No. 2713) was denied by the Board, and

Continued on Next Page

RESOLUTION NO. (767-1996) Continued

WHEREAS, Everett Johns, attorney for the applicants, has requested copies of the transcript of the public hearing held before the Board of Appeals on July 15, 1996, and is willing to pay for same;

NOW, THEREFORE, be it

RESOLVED, that Margaretann Ries is hereby authorized to prepare a transcript of the public hearing held before the Board of Appeals on July 15, 1996, with respect to the MARTIN FELDI and JOSEPH DeLUCA application for a variance, for a fee to be charged to the applicants.

On roll call the vote was as follows:

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

RESOLUTION NO. (768-1996)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town has a drainage easement through Tax Map lots 74-A-7.49 and 7.50 and

WHEREAS, the Town Board by Resolution 416-1996 dated April 23, 1996 authorized necessary maintenance and improvements at said easement, and

WHEREAS, the actual expense associated with the proposed improvements due to field conditions was in excess of the anticipated \$8,000.00 to \$10,000.00 authorized by resolution, and

WHEREAS, said field conditions could not be addressed without an additional expenditure of money.

NOW, THEREFORE, be it

RESOLVED, that the Town Board does authorize the total expenditure of \$10,500.00 for said drainage improvements.

On roll call the vote was as follows:

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

RESOLUTION NO. (769-1996)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a resident of the Town of Clarkstown has requested that street lighting be installed to improve the safety and welfare of the community, and

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was

Continued on Next Page

RESOLUTION NO. (769-1996) Continued

conducted by Patricia A. Betz, Utility Services Coordinator, and

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following location:

East Street, West Nyack

(Install one (1) 5800 lumen sodium vapor street light - existing utility pole number 59460/39429)

On roll call the vote was as follows:

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

RESOLUTION NO. (770-1996)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby refers Alfred and Mary Sappah to the Architecture and Landscape Commission to discuss the screening and fence requirements of the Town Code of the Town of Clarkstown, for property located at 29-31 Old Middletown Road, Nanuet, New York, and designated on the Clarkstown Tax Map as Map 13, Block D, Lot 22.

On roll call the vote was as follows:

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

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

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

8/13/96

8:01 P.M.

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

Re: Road Improvement Project for a Portion of Pearl Lane,
New City, NY

On motion of Councilman Maloney, seconded by Councilman Mandia 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 Holbrook said the proposal for Pearl Lane is to have a public hearing to see if the property owners along Pearl Lane wish to engage in a road improvement district to bring Pearl Lane up to Town specifications for its dedication to the Town as a Town road. What we have done is ask our engineer to come up with some figures. Then we'll call for public input and move on.

Appearance: Luke Kalarickal, Director
Environmental Control

Based on a Town Board resolution Atzli, Scatassa & Zigler prepared a road improvement plan with a 24 foot wide concrete curbing to Town specifications. The length of the road is approximately 1200 feet and the cost we estimate at \$240,000 which is \$100 per foot frontage of the property. The map is available in our office to review.

Supervisor Holbrook asked if United Water owns most of the footage on one side of the road?

Mr. Kalarickal said that is correct.

Supervisor Holbrook said if we are to proceed, this would go out to bid and the cost would be apportioned on a front footage basis. At this time, I will ask if any of the residents on Pearl Lane wish to comment pursuant to this.

Appearance: Paul Ryan
4 Pearl Lane

One of the neighbors had gotten information from the Town previously and from Victor Zugibe an estimate for \$141,000.

Supervisor Holbrook asked Luke Kalarickal to address this point.

Mr. Kalarickal said this estimate does not include some of the items, such as curb drainage, that is, under drains for the curbs; that would be about \$50,000. The cost could be \$240,000 or less.

Supervisor Holbrook asked about extruded birm for this road. Would that be sufficient?

Mr. Kalarickal said that Town specification calls for concrete curbing.

Mr. Ryan said there are County sewer lines going through the road. Would there would be any way of finding out if the County would share in the cost of this improvement?

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Re: Road Improvement Project for a Portion of Pearl Lane,
New City, NY

Supervisor Holbrook said this is a Town line, not a trunk.

Appearance: Denise Vilotijevic
2 Pearl Lane

We want to know the implications of having a private road become a public road. Who pays for this? Does it come out of tax dollars of citizens equally?

Supervisor Holbrook said the property owners on the road would pay the cost of bringing it up to Town specs. This would include United Water. If we use the figure of \$240,000 and United Water owns half of the road, roughly one-half of that would be \$120,000 which would be apportioned among other property owners based on footage. There could one or two instances where a person has secondary use on the road but a primary access on another road. We've usually done that 60/40 in terms of cost per square foot. In regard to the payment for this, we go out to bid, we use that to spread out the cost, and the individual property owners would have the right to pay that amount all at once or over a 15 year period to the Town. Obviously, we look to do this as inexpensively as we possibly can. We are not looking to make money on this. But we have done these in other areas; a recent one was Medway Avenue; we've done Lenox and others and they've come out pretty well. I would suspect the bid would be somewhat less than \$240,000. People could look at their footage along Pearl Lane and roughly figure out what their cost would be if you were to take that and divide it by 15 years. In terms of assessments and taxes, the issue there is that the assessment won't go up but the value of a public street usually goes up. You are entitled to all Town services. That has been our experience. We can proceed to take this to the next step, go out to bid and actually get a figure and we can reconvene and see if we want to go ahead with this. That's what we've done in the past. We can quantify the total so you will know the cost exactly.

Ms. Vilotijevic said his estimate was \$240,000 and there's 1200 foot length - that's \$100 per side. We live on 2 Pearl Lane and it's split on a diagonal and we have a huge amount of frontage on the road.

Supervisor Holbrook said the purpose of the public hearing is to proceed to the next step and if we are willing to do that we will go out to bid and see what it costs. If we decide not to go ahead we've just used some of our time and it's not something you pay for. We are prepared to go out to bid.

Councilman Mandia said once we get the exact cost from a bid, we would be in a position to tell individual property owners what their proportionate share would be.

Appearance: Michael Burbridge
2A Pearl Lane

Mr. Burbridge said he assumes majority rules.

Supervisor Holbrook said usually but we recognize there is never unanimity. That has never been the case.

Mr. Burbridge asked how quickly could this be done.

Supervisor Holbrook said we could out to bid at our next Town Board meeting and get a price by the end of September.

Mr. Burbridge asked what the next step is.

Re: Road Improvement Project for a Portion of Pearl Lane,
New City, NY

Supervisor Holbrook said we would close the public hearing and authorize Luke Kalarickal to provide the specs necessary so people can bid on it. We would do that on September 10th, bids to be returnable by the end of the month. Once they come in we would let you know.

Appearance: Joe Garra
6 Pearl Lane (ex house)

When I bought the house in 1978 we had paperwork that the Town had torn up that road, gotten deeds from Barrett, Knapp who owned Pearl Lane and put the Town trunk line in. Supposedly that road would be paid. Those deeds never got recorded and we're still playing with it.

Appearance: Dave McDonald
187 Old Route 304

I have the secondary access referred to before and I have one of the largest frontages along the property and I am concerned about cost of this road. If this road is going to cost me \$25,000, I can't afford to pay that. We must make every effort to find other ways to pay for this road.

Supervisor Holbrook said what I am suggesting is we recess until such time as the bid comes in and we'll reconvene on September 24th and at that point we'll have exact prices and can determine if we go ahead or not.

Mr. MacDonald what percent would be paid.

Mr. Duer, Comptroller said, based on current rates - for 15 years, interest would be 5 to 5-1/2%

Mr. MacDonald said we have sewer problems which must be addressed also.

There being no one else wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith, and unanimously adopted, the public hearing was declared recessed to September 24, 1996, time: 8:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

8/13/96

8:05 P.M.

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

Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

On motion of Councilman Maloney, seconded by Councilman Mandia 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 Holbrook asked the applicant to come forward to introduce himself and make a presentation to the people and the Town Board.

Appearance: Charles Davis, Attorney for Loeb House, Inc.
Davis & Davis, Attorneys-at-Law, New City

Mr. Davis said Loeb House, Inc. is a not for profit agency which operates community residences and homes for adults. The agency intends and is under contract to purchase the adult boarding home presently owned by the Rockland Family Shelter and previously operated as The Haven. As you know, the Family Shelter lost funding for this project and must now sell the property to use the funds elsewhere. The property has been used as a boarding home for adults in one form or another since September 1967 and it's important to know the history of it because it starts with an appeal before the Zoning Board on September 11, 1967. At that time, a boarding house was approved for 10 adults of the same sex. Today we have to be more politically correct on that. The applicant and owner at that time continued to increase the number of individuals until finally they had a total of 22 individuals residing on the premises. In 1973, the owner sold it to Richard Voight and Richard Voight loaned it to the Rockland Family Shelter. An application was put in to increase the size of the premises and secure a complete special permit. That decision is the one we're requesting be amended because that decision 1) increased the number of individuals to a total of 37 individuals (36 residents and 1 manager). That application limited the use only to women and their dependent children. But it was an adult boarding home for women and their dependent children licensed by the Department of Social Services. The application we are seeking is an adult boarding home for adults of whatever gender, also continued to be licensed by the Department of Social Services. The Department of Social Services agrees there is no change of use for their regulations. I conferred with the Clarkstown Building Department and under the NYS Uniform Fire Prevention and Building Code, there is no change of use there. The special permit, however, that was granted does require that the permit cease upon the Family Shelter's transferring the premises, which is the reason we are here asking for a continuation and a deletion of those restrictions for the use by women only. The program that will be operated there is for adults. The goal is to use the premises for homeless veterans and it is for that purpose the next few speakers will present to you. The first is John Murphy who is president of Loeb House who will speak to the use of the program and the history of Loeb House. Loeb House has been a good neighbor in Clarkstown over the years. The speaker after that will be Mr. Jerry Donnellan who is Director of Rockland County's Veteran's Affairs Department. Thank you.

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Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

Appearance: John Murphy
Chairman, Board of Directors of Loeb House

Loeb House was founded approximately 8 or 9 years ago by the then Commission of Mental Hygiene for the County of Rockland and the two Deputy Commissioners of Hygiene and myself. It was created 8 years ago to serve people who had previously suffered mental illness. About 3 years ago we decided to expand our range of services and we obtained certification from the NYS Department of Social Services to operate housing for all people with special needs. We do operate an entire spectrum of services from community residences to supervised residences to apartments to adult homes and we have done so successfully during this entire period. In fact, we operate at least two community residences in this township. It is our intention to continue to provide an alternative in the community for people with special housing needs to for-profit operations. Most of the Department of Social Services certified adult homes are operated for profit by private proprietors. It is our judgment this is not in the best interest of the commonweal. We prefer they be operated on a not for profit basis so that any discretionary spending money must be reinvested in the care of the clients using the housing. It was with this in mind that Loeb House received the NYS Department of Mental Hygiene grant and a federal home loan grant to purchase the former Weisman's Adult Home which was in the Town of Clarkstown, Village of Spring Valley and which had been condemned for substandard care and substandard housing and it was under those conditions enjoying the profitability to the private owner of almost \$300,000 a year. We use that grant money to purchase that facility which is in your township and that \$300,000 a year surplus income which was previously private profit was reinvested into that facility and we have shown that we have reduced all the untoward incidents like substance abuse, alcoholism, craving illegal substances, etc.. In fact, we have converted what was considered to be a totally unacceptable residence for adults to what is now considered a state model. It is our intention in this particular case to take our 8 years of outstanding service and experience and create an adult home certified by the Department of Social Services which will provide a very safe, clean, dignified residential opportunity primarily for anybody who has served this country in any armed forces uniform. It is our intention to see to it that those people who are veterans of our armed forces and who are now reaching a stage in their life chronologically where they need some assistance can find sanctuary with us. It is our request to you to award to Loeb House, based on its 8 years of performance, a special permit which will allow us to continue the use of that facility as a community residence for adults and specifically for veterans of our armed forces. We put before you for your consideration in the most respectful way 8 years of providing almost 200 beds without incurring the attention of your police department or yourselves. We are extraordinarily proud of our operation. We are extraordinarily proud of our staff, some of whom are here tonight. We are extraordinarily proud of the high standards we set for people in the belief they are capable of meeting the highest standards of the community and they are most deserving of safe, clean, and dignified homes. In approaching this opportunity we partnered up with the veterans of this county, all the veteran organizations as they are personified in the next speaker who is not only the official county representative of our veterans but is himself a wounded veteran and who is also the Chairman and President of the NY veterans. In partnering up with the veterans, we bring to the table what we think is an exciting concept. We believe partnership with the veterans will not only provide a great source of important referrals but the veterans will see to it that Loeb House will maintain the highest standards for people for whom they feel totally responsible. We believe this may be the only partnership of its kind in the United States between a private, not for profit nonsectarian community agency and all the veterans organizations of the county to see to that no veteran is without sanctuary. We would like one more partner and that is you.

Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

Appearance: Jerry Donnellan
Rockland County Veterans Department

It's a sad commentary that each night on the streets of this country better than a 1/4 million veterans sleep. We tend to look at these people in terms of urban areas, the ones that are stereotypical, the guys sleeping on the corner in the old refrigerator box, but that's not the whole story. I think we think of veterans on Veteran's Day and Memorial Day and we watch fireworks and see parades and remember old John Wayne movies and think of the high side of all of this. Unfortunately, there's another side and here in Rockland County it exists just as it does across this country. I see people weekly in my office who have a need for a place to stay. Again, the term homeless -- one fellow came in a week ago - he had worked for IBM; had a wonderful career for more than 15 years, was a resident of the County who lived in Spring Valley, had a wife and two kids, lost his job, subsequently his marriage broke up. By the time he came to me he was living out of a car, working in a fast food place, earning not enough money to put a roof over his head, giving what he could make to support his family. And there are others. You don't see them. You have to go up into the Palisades Park system or the boatyards in the winter. But they are there if you look for them. Talk to the cops and rangers. These people, all of them, gave a minimum of two years of their life to support our way of living and I think they deserve something back. Recently, we opened a clinic here in Rockland which is a first in this country, whereby veterans can go and be treated regardless of their means or needs. This clinic is a boon to our shelter because the veterans of that shelter will receive first class medical care. From a point of view of safety, this will also mean our access to unlimited, random drug testing which I know is a stumbling block for many shelters because of the expense. We now do not have that expense and plan to enforce it very strictly. Again, I say to you as someone who has seen it and I know sitting behind me are many wars, many men and women who have shrapnel still in their body who cared enough to come out here tonight to see this goes forward and each of them, like myself, feels a debt, because we were the lucky ones who came back. We are lucky enough to be standing here. We all know people who aren't. We have the responsibility not only of ourselves but of those people to see to it that those who came home live in a decent way. Thank you very much.

Mr. Davis said that was their formal presentation and they have people present who can answer technical questions from the Board.

Supervisor Holbrook said one of the questions the Board was concerned about related to Hess Road itself in terms of the possibility of that being made into a public street. This was a concern for residents over the years and this might be an opportunity if Loeb House were willing to work toward making that a public street.

Mr. Davis said Loeb House has absolutely no opposition to taking the land that is Hess Road that it will receive as part of the transfer and dedicating it to the Town. The sole problem is that Loeb House has the grant money to purchase and run the programs. They do not have the grant money to upgrade the roadway. What can be done though, without question, is the transfer of the property.

Mr. Murphy said he was pleased that part of the money that's being made available to Loeb House comes from the Rockland County Office of Community Development and the representative of that office, Mr. Terry DeGrosselfinger, is here tonight and I would love him to respond to the issue of what can be done.

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Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

Appearance: Terry DeGrosselfinger, Director
Rockland County Office of Community Development

One of the concerns we were aware of is that it is a long going concern of the Town and there are funds available through the Community Development office and they have been earmarked and budgeted for that kind of situation. The only concerns I have, and if the residents are willing to go along, I have seen Hess Road - it is narrow - and in order to build it to Town spec or something close to it there would have to be some takings in order to do that.

Mr. Holbrook said we had a move toward a road improvement district years ago. We recognize we can't make it into a full 30 foot wide street but we were looking to use this as an opportunity, through community development, to provide the funds to do what is necessary - perhaps 22 to 24 foot width - to making it into a Town street. In this particular instance it would be at no cost to the residents but we would be using community development funds for this in a positive sense. I think if, as a Town, we can apply for that money we should do it.

Mr. DeGrosselfinger said there may be enough already. If there is not I will issue my commitment that we support this - yes we will find those funds.

Appearance: Michael Zeretzky
92 Hess Road

I have a number of questions. First, how many residents are intended to be living at Loeb House?

Mr. Davis said the final project would result in approximately 24 in the main house and 4 in the secondary building. That would come to 28 versus the 37. The Department of Social Services has at this point approved for that much space versus people.

Mr. Zeretzky asked what types of social services, what types of staff will be present on the grounds at the facility.

Mr. Murphy said the facility will be staffed 24 hours a day by experienced staffing that would include an administrator, social worker, counselors, cleaners and, of course, dietary personnel.

Mr. Zeretzky asked if there would be security present.

Mr. Murphy said there will primarily be security for people living there, in the form of fire security. We are not talking here about a criminal element. We are talking about veterans. The inference that I need security for a citizen of this county to live in that facility is repugnant because it infers I am bringing in criminals. I am bringing in American citizens. I am bringing in veterans.

Mr. Zeretzky said that by your statement you indicate you are bringing in individuals who have had substance abuse problems, selling and dealing and drugs. That, I believe, is a description of the types of residents who have been in your other facility.

Mr. Murphy said it is true that more Americans of every type living in individual residences in this country are substance abusers. Veterans have about the same incidence of seeking solace through the use of illegal substances or the abuse of alcohol as any group of Americans. If the inference is made that this is going to

Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

be a repository of substance abuse dealers or users that are extraordinary, that require security, I apologize for misleading you. We are not talking here about people who can reasonably be perceived as substance dealers. I would like Jerry Donnellan, who has a great deal of experience in this area, to speak.

Mr. Zeretzky said he too has a great deal of experience in this area. I'm a certified social worker licensed in New York State. I've worked with the homeless, the mentally ill, substance abusers. I was a counselor in a methadone clinic in Harlem for a period of time. I've worked in other programs including this county. I'm familiar with the issues and dynamics and persons involved in substance abuse.

Mr. Donnellan said he thought he had been misinterpreted. He said he had said we have the advantage of doing frequent, random drug testing. As you know, one test costs about \$90. I underscored we would be doing them regularly and a veteran signs a contract coming into that house that he or she agrees to be substance free - for one strike they are out.

Mr. Zeretzky said it was his understanding that in most communities substance abuse programs were not put into residential neighborhoods but usually put into office complexes.

Mr. Holbrook said the question I think being asked is - Is this a substance abuse program?

Mr. Zeretzky said if you are doing random drug testing, there is an indication that you're acknowledging these gentlemen have substance abuse problems and that doesn't belong in a residential neighborhood.

Mr. Donnellan said we are trying to provide shelter for homeless veterans. Because of concerns of the community, we made a point of doing this random drug testing and made a point of having the veterans sign that contract coming in so any one there who is abusing a substance will not be there for very long.

Appearance: Bill T. Jones
91 Hess Road

Who will be reviewing the status of your inhabitants?

Mr. Murphy said his staff would be.

Mr. Jones said - so you are internally monitored. Who reviews your staff? Who do you answer to?

Mr. Murphy said he has a Board of Directors, some of whom are here tonight. I'd like to introduce one of them. Mr. Rose is one of the people who will be doing the monitoring. He is a minister in a church in Nyack but he is also a retired NYC police officer who worked on the racial bias unit. He is affiliated with the Brooklyn District Attorneys office as an investigator. We also have on the Board of Directors Mrs. Connie Weisenseal who is a well know psychiatric social worker; Dr. John Lukens who teaches clinical psychology at the College of New Rochelle and is a practicing clinical psychologist at St. Agatha's. I have on the Board Mr. Dennis Barry who boasts of 40 years of operating child care facilities which included St. Agatha's Home. Also Mrs. Patricia Feely, active in Catholic Charities social work for what seems like centuries. Also Mrs. Marilyn Davis, a well know attorney in the county. In addition to that, I have an extremely experienced, educated and outstanding staff. They will be the judges of the behavior of the people who make their home in this facility.

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[Loeb House, Inc.]

Appearance: Resident
Hess Drive

I am assuming that the qualification and validity of what you are attempting to do is not at stake. The question for Hess Road residents is whether Hess Road and its vicinity is the appropriate location for what you are attempting to do. As we have heard, it is a private road, it is 10 feet wide. Last winter, we had an emergency in a snowstorm. The fire people and health people were unable to ascend the steep hill of our road. I think the people you intend to house are definitely entitled to housing. The question is whether the location is the right one. As to the motion of transforming this now private road which is poorly maintained into a public road which is maintained by the city, we had discussions between the residents prior to us knowing of your issue and we were opposed to such a transformation. I believe this opposition is by the majority of the residents and I believe the status of a private road is that it is owned by its residents and as such cannot be converted into anything else without approval of the residents. My point is yes to what you are attempting to do but our road does not provide adequate access and we do not want independence from you but we do not want to change the status. We enjoy its narrowness, its lack of circulation, its privacy and being out of the way.

Mr. Jones said, to all of the veterans in the room, you have been doing a very good job of selling veterans to us. We all love the veterans and we benefit. Please let's not drive a wedge between us and the men who have defended our country. As my friend says, who could argue with the benefit of what you're doing; we are saying where you are doing it. I think you all know I have brothers who have been in the war. I also have brothers who have psychological problems and emotional problems, even drug problems. I have seen these brothers when they are down and I think you know what I'm talking about. I do not want to have unhappy incidents happen, maybe one in a hundred. I am trying to ensure we have some say in how our hill is used. Please do not let our disagreement with you in any way disparage against the veterans in this room or anywhere.

Appearance: Sharon Cardinale
Hess Road

I've lived on Hess Road all my married life. We are not anti veteran which is synonymous with being anti American. I've been there the whole time the Haven was there. Previous to the Haven the house was used as a halfway home for rehabilitated alcoholics. We have had a lot of problems in the neighborhood from these residents and I am really gun-shy. I've had people walk through my property, bang on my house. I have had cabs come at 3 o'clock in the morning sure that in the house was their abused wife, was their child. I don't want to wake up with someone banging on my door at that hour of the morning, I don't want to have to put up a sign saying this is Loeb House. The traffic has been a problem. One of the worst offenders has been the UPS truck zooming down the hill. When Haven House was approved, we were given all kinds of guarantees. There will not be any increased traffic on the lower part of the road. Wrong. Real wrong. The people on the top of the road will be instructed not to use the lower part of the road. They had been instructed but they did it anyway. I've worried about insurance, about someone falling on my property and suing when I didn't want them there in the first place. I think we have some real legitimate concerns. My security concerns are - how do I know these people aren't going to wander out. It could happen. I've been there. I really hope something is done where I don't have to move.

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[Loeb House, Inc.]

Appearance: Jonathan Gruber
84 Hess Road

My wife and I purchased the property 4 years ago. The reason we purchased is because it's a private, small road. I have 40 year old hedges I am not willing to give to anyone to widen the road. Furthermore, I don't know if you have seen Hess Road. It is literally a 10 foot wide road; there was more than one emergency last year. There was a fire truck stuck on the road and there were people who did not get the attention they needed. I'd like to know who is the community - we figure we are the community here - no one attempted to contact us to notify us about this meeting or anything else. We found out from the Courier and from the real estate section of the Journal News. I think that in itself turned the residents off. My wife has made several calls, I believe to you Mr. Murphy, and we were told several different things and we were not notified about this Town meeting. I don't think anyone can be bought off by the road being tarred. I know there's a certain member who owns a whole section of the road and I don't know if we can pursue that legally. We are concerned about our security. We monitor who goes up and down that road because we know who lives there. We know who's supposed to be there. I don't want to jeopardize my security or that of my neighbors. We were first told there were people with post traumatic stress syndrome which hasn't even been addressed here. We're just talking about homeless people. Homeless people have a lot more problems than just being homeless and there's a reason.

Appearance: Rita Speirs
81 Hess Road

We've lived on the road for 41 years. We've gone through things with Harvest House. We've had women with children; we've had people taken directly out of Rockland State; we've had gentlemen stand up on the road and expose themselves to our children. We went through all this with the Harvest House. They threw diapers on our front lawn. As far as the land is concerned, we own the whole road and we refuse to turn over any of our land to any organization. It's a narrow road. When Harvest House was there, there was an agreement to go through a cut through to the public road. It was not carried through.

Mr. Murphy said that at no time did he indicate he wanted to take that road over or widen it or wanted to do anything to that road. If the issue which is being raised is you don't want to widen that road or turn it over, God bless you. I'm not interested in that road. We just want permission to allow that facility to continue to be an adult home. If improving the road is the desire of the Town Board, I will cooperate to the maximum.

Appearance: Elaine Viner
Resident of Hess Road

I own a large piece of property on Hess Road. I was in Spring Valley Monday morning and I drove by the Weisman residence. It is a dump, there were half dressed residents, unsupervised, spilling out all over the place. It is a dump. We know there can be illustrious people on a Board of Directors but illustrious people have to go to an optional meeting probably once a year. How often are they involved in day to day running of a residence. The reason we mentioned the road is we are letting you know it's inadequate for an additional load because security, in terms of ordinary fire and police, cannot get up that road. They need help and they need access. To start a new facility and perhaps have funds cut back will mean we have homeless people living without having what they need. We own the road and we are not planning to give up our land.

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[Loeb House, Inc.]

Appearance: Regina Gruber
84 Hess Road

Nobody was contacted. I started talking to people about this 2 months ago and I was told if there was going to be a variance or change in the zoning we would be notified and have the right to come and speak. I knew about it and some neighbors read about it. That's not fair to begin with. It seems the main issue was no change of use. There is a change of use between a woman and her child and a person under psychological care. I don't think that is the same. There are no lights, mail delivery, or snowplowing on Hess Road, no pothole maintenance. We get garbage, that's it. Facilities which care for people in psychological care are generally in larger city areas not on small roads where people are going to wander off into my backyard and increase my liability. I think we, as a group, if we are pushed further we need council and our full rights. This is our main investment.

Appearance: Resident
59 Hess Road

I have not been in previous contact with my neighbors. I found out today. I am also upset we were not informed through regular channels. What qualifies me to stand up here? My parents applied for the first variance on Hess Road. I am opposed for two reasons: it will decrease my property values and to the veterans come up and look at the property. It's a dump you wouldn't want to live there unless they put big bucks in there. You are looking at a welfare hotel.

Ms. Viner said post traumatic stress is being creamed over. I spoke to Mr. Murphy about 6 weeks ago and he told me this was the situation. We are not talking just about homeless veterans. These are people who are in psychological care. This house is to rehab people, not just a place for homeless people. I discussed this with Mr. Holbrook. Can you or Mr. Holbrook - define citizens of our country? My definition is someone who lives, pays taxes, votes in our county. Did these people pay taxes. What makes a citizen?

Appearance: Lorna Bernard, Esq.
Retired Attorney

I have been testifying in favor of group homes about 10 years prior to the time my youngest child became mentally ill. In every case. people come out with reasons why it should not be on their road and in every case when you spoke to the neighbors a few years later they said their property had not gone down but had been maintained or gone up. My child was a resident of Weisman's adult home before her first hospitalization. I know that Loeb House is working to rehab Weisman's . We were very pleased Loeb House had taken over that facility. My child has been in a number of adult homes. One was Weisman's and the only good thing I can say is it was so bad she signed herself voluntarily into NY Cornell Medical Center. After that, she lived in 2 other adult homes which were for profit - one well run and one so badly run the food was inedible. My child has lived in a Loeb House apartment with 2 other women; my child has lived in 2 adult group homes run by Loeb House - both in Rockland County - one in Clarkstown - which was put in an old building that had to be rehabilitated. Hess Road had 37 people living in the family shelter. Loeb House is suggesting 28. I can attest to the fact that as a parent. that every Loeb House facility has been run in the most exemplary fashion. My child felt safe in a Loeb House facility. My child suffers from a disease as do many others. What is a citizen? My child was born in Rockland. Many of the mentally ill, because of the stigma, have turned to alcohol and drugs because there is less stigma attached to that. If you want somebody to

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[Loeb House, Inc.]

buy that place, there is nobody who can do a better job of running it. Your fear is not groundless but it's more the fear of the unknown and I know Loeb House.

Appearance: Sol Derewetsky
Sherry Drive

I can testify that everything this group has said is the truth. I've lived in that area for 30 years. My neighbors have to contend with many negative things. Mr. Murphy is a wonderful man and I know Mr. Donnellan. I ask Mr. Murphy - What would be the ideal place for you to have for this facility?

Appearance: Linda Bessell
Mitchell Drive

I've lived here for 26 years and I share the same concerns and I've seen this house change from unwed mothers to battered mothers and other situations and my question is we are now being told it will be used for veterans and that's praiseworthy but how many years will it take before it's changed and used for something else. When you rezone, you don't say we are rezoning for veterans, you rezone for an adult shelter and that could mean anything 2 or 3 years from now. And it does change every 2 or 3 years. Also, if this is to be used for veterans they should have access to a community. Please take a look at this area and how difficult it is to get anywhere.

Mr. Holbrook said that if anyone had not spoken, this is your opportunity and I will allow Mr. Murphy to answer questions. At that time, the Town Board will close the public hearing. No decision will be made tonight. We need the Planning Board's recommendation. Their public hearing on this is tomorrow night. Their recommendation will come before the Town Board. The decision on this will be September 10th.

Appearance: Gene Powell
460 Christian Herald Road

I've lived here since 1951. I have friends here and I am sympathetic to the fact they were not given notice of this meeting. I've heard expressed fears of post traumatic stress disorder as though it was a social danger. I am a veteran of World War II and I currently have a 50% disability in post traumatic stress disorder and I am commander of the Hudson Valley Chapter of Prisoners of War. Ninety percent of those people suffer from post traumatic stress disorder. None pose a danger to their communities and are good family people and law abiding. Post traumatic stress disorder is not a danger to a community.

Appearance: Lawrence Pitori
492 Mitchell Drive

I have a 4 year old daughter and I live on the street. I am concerned about the character of the community changing. We don't have 28 men living on the street now. We have a group home down the street and I have personally witnessed problems there. Police are being called. This is a different group home but a block in the other direction. Are we going to be treating people for drug abuse who happen to be veteran's? I'd like you to be specific as to who is going to be there.

Mr. Holbrook said we will allow Mr. Murphy to make a summation and we will close the public hearing.

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Re: Special Permit for an Agency Boarding Home for Adults
[Loeb House, Inc.]

Mr. Murphy thanked the Board for courtesies extended. This is not a treatment facility. The people I provide shelter to are victims not predators. Regarding the inappropriateness of lights, etc., if it's suitable for you, it's suitable for my residents. Our Board of Directors are devoted to these people. The right for you to speak was paid by the blood of the veterans. We ask this Town Board to give us the same right you give to every other private citizen.

There being no one else wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Mandia, and unanimously adopted, the public hearing was declared closed, decision reserved, time: 9:20 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

8/13/96

9:40 P.M.

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

Re: Violation Hearing -- Sappah
29-31 Old Middletown Rd., Nanuet

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

Supervisor Holbrook asked for an update on the property at Old Middletown Road.

Appearance: Joseph Churgin, Esq.
Attorney for Sappah

I believe Mr. Milich has been sick and is not here and we have been corresponding with Mr. Milich on this property.

Supervisor Holbrook asked if Peter Beary (Highway Department) had anything to report.

Mr. Beary said he had spoken with Mr. Sappah who was looking for some help from the Town as to what they wanted in the way of fencing and plantings to create a buffer.

Supervisor Holbrook suggested that before the next meeting we have a written progress report from the Building Department on what needs to be done.

Mr. Churgin said there were only 2 or 3 items left, specifically a lease for the tenant - the lease has been signed; a permit for use by the tenant - a permit application has been filed; and finally, the screening or fencing around the back - and that has been started. They have not finished it. They want to talk to Mr. Milich so they do it exactly as the Town wants.

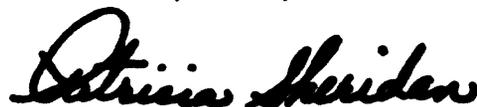
Supervisor Holbrook said we will recess this to September 10th when we can have an update.

Mr. Beary asked the Town Board to direct Mr. Sappah to the Architecture and Landscape Commission for the type of fence required.

Supervisor Holbrook said we will recess and direct the representative for Mr. Sappah to go to the Architecture and Landscape Commission for fence requirements.

There being no one else wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith, and unanimously adopted, the public hearing was declared recessed to September 10, 1996, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

RESOLUTION NO. (700-1996) ADOPTED