

TOWN OF CLARKSTOWN
Town Board Meeting

Town Hall

3/11/97

8:00 P.M.

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

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

Suprvisor Holbrook awarded the following proclamation

GIRL SCOUT WEEK
March 9 - 15, 1997

WHEREAS, March 11th, 1997, is the 85th Anniversary of the founding of GIRL SCOUTS OF THE U.S.A., the largest voluntary organization for girls in the world; and

WHEREAS, Girl Scouting is a vital organization for girls who are growing up, enabling them to develop self-esteem and leadership skills, and providing an atmosphere of warm and true friendship; and

WHEREAS, the Girl Scout program not only reflects the enduring values and standards that have been part of the organization since 1912, but also lends itself to the special and unique situation of girls in the 1990's; and

WHEREAS, Girl Scouts of all ages have made important contributions to the life of this, our own home community,

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, by virtue of the authority vested in me as Supervisor of the Town of Clarkstown, and on behalf of the Town Board, hereby proclaim March 9 - 15, 1997, GIRL SCOUT WEEK in the Town of Clarkstown and thus, do urge the citizens of Clarkstown to support in every way the activities and endeavors of Girl Scouts.

IN WITNESS WHEREOF I HEREUNTO
SET MY HAND AND CAUSE THE
SEAL OF THE TOWN OF CLARKSTOWN
TO BE AFFIXED THIS 11TH DAY OF
MARCH 1997.

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

In recognition of RANDOM ACTS OF KINDNESS WEEK, Supervisor presented, on behalf of the Town Board and the Town Clerk of Clarkstown, Certificates of Award to Peter S. Bydlik, Dan Mola, Tim O'Brien and Chris Ryan for their Random Acts of Kindness

Supervisor Holbrook opened the public portion.

Appearance: Gerald Pritz
Nanuet

Mr. Pritz read a statement regarding the difficulties and a possible solution affecting his home. He appealed to the Board to please grant him the relief he needs. Mr. Pritz's statement is on file in the Town Clerk's Office.

RESOLUTION NO. (207-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a proposed local law entitled:

"A LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 200
(PARKING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 11, 1997, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 11, 1997, directed that a public hearing be held on March 11, 1997, at 8:05 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on February 25, 1997, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 5, 1997, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 11, 1997;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 5 - 1997, entitled:

"A LOCAL LAW ENTITLED, "AMENDMENT TO CHAPTER 200
(PARKING) OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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

Charles E. Holbrook, Supervisor...	Yes
John R. Maloney, Councilman.....	Yes
Ralph F. Mandia, Councilman.....	Yes
Ann Marie Smith, Councilwoman.....	Yes
Louis J. Profenna, Councilman.....	Yes

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

RESOLUTION NO. (208-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, a proposed local law entitled:

"AMENDMENT TO CHAPTER 250 (STREETS AND SIDEWALKS)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

was introduced by Councilwoman Smith at a Town Board meeting held on February 11, 1997, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on February 11, 1997, directed that a public hearing be held on March 11, 1997, at 8:10 P.M., and

WHEREAS, a notice of said hearing was duly prepared and published in the Journal News on February 25, 1997, and

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RESOLUTION NO. (208-1997) Continued

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at the Clarkstown Town Hall, 10 Maple Avenue, New City, New York, on February 10, 1997, and

WHEREAS, a public hearing was held by the Town Board of the Town of Clarkstown on March 11, 1997;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 6 - 1997, entitled:

"AMENDMENT TO CHAPTER 250 (STREETS AND SIDEWALKS)
OF THE TOWN CODE OF THE TOWN OF CLARKSTOWN"

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

Charles E. Holbrook, Supervisor...Yes
John R. Maloney, Councilman.....Yes
Ralph F. Mandia, Councilman.....Yes
Ann Marie Smith, Councilwoman.....Yes
Louis J. Profenna, Councilman.....Yes

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

RESOLUTION NO. 209-1997)

Co. Smith offered and Co. Maloney seconded

ORDER EXTENDING CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 to INCLUDE M.O. PROPERTIES, INC., adopted and signed (Complete Order 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. (210-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of February 25, 1997 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. (211-1997)

Co. Maloney offered and Co. Mandia seconded

PETITION for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include AOR DEVELOPERS, INC. 122-C-4.1 in the Town of Clarkstown, Rockland County, New York.

WHEREAS, a written Petition dated January 9, 1997 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

(Description on file in Town Clerk's Office)

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York in said Town of Clarkstown on the 14th day of April, 1997 at 8:15 P.M. ES time to consider the said petition and to hear all persons interested in the subject thereof, concerning the same and for such other actions as may be required by law or proper in the premises.

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. (212-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, ROCKLAND HOSPITALITY ASSOCIATES, LLC has petitioned the Town Board of the Town of Clarkstown for a Special Permit to conduct a landfill operation pursuant to the provisions of the Zoning Ordinance of the Town of Clarkstown, §290-11A, Table 12 of General Use Regulations for an RS District, Column 3, Item B(2), and §290-17L, for property located on the the South side of Route 59 and the West side of Rose Road, Nanuet, New York, which property is designated on the Clarkstown Tax Map as Map 31, Block A, Lot 27;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to said Zoning Ordinance shall be held in Room 311 of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on April 14, 1997 at 8:05 P.M. to consider the application of ROCKLAND HOSPITALITY ASSOCIATES, LLC, relative to said Special Permit, and be it

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

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RESOLUTION NO. (212-1997) Continued

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

RESOLVED, that the petition is hereby referred to the Clarkstown Planning Board for report pursuant to Section 290-33(A) of the Zoning Ordinance of the Town of Clarkstown and to the Rockland County Commissioner of Planning as required by Sections 239-1 and 239-m of the General Municipal Law for report, and the following agencies for comment or study and report on or before April 11, 1997:

1. Clarkstown Building Department
2. Clarkstown Department of Environmental Control
3. Clarkstown Architecture and Landscape Commission
4. N.Y.S. Department of Environmental Conservation
5. Rockland County Drainage Agency
6. Rockland County Health Department
7. Rockland County Soil Conservation

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. (213-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby amends Resolution No. 167-1997 adopted on February 25, 1997, by changing the public hearing scheduled for March 25, 1997 to April 14, 1997, at 8:00 P.M., in Room 311 of the Clarkstown Town Hall, regarding the zone change petition of JMK Building Corp.

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. (214-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, a comprehensive amendment to the Zoning Ordinance of the Town of Clarkstown was adopted on June 30, 1967, and further amended from time to time, and

WHEREAS, the Town Board of the Town of Clarkstown desires to consider further amendment to said Zoning Ordinance;

NOW, THEREFORE, be it

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RESOLUTION NO. (214-1997) Continued

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on March 25, 1997 at 8:11 P.M., to consider the adoption of the following proposed amendment(s) to the Zoning Ordinance of the Town of Clarkstown:

Amend General Use Regulations in an LO District, Table 8, Column 2, by adding Item 10 as follows:

"10. Communication switching facilities within buildings including office facilities."

and be it

FURTHER RESOLVED, that the Town Attorney of the Town of Clarkstown 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, and be it

FURTHER RESOLVED, that the proposed amendment to the Zoning Ordinance be referred to the Clarkstown Planning Board and the Rockland County Commissioner of Planning for their recommendation and report, and be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (215-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the design for replacement of the existing bridge in the vicinity of 234 Phillips Hill Road is being prepared by the Department of Environmental Control; and

WHEREAS, the Department of Environmental Control has been periodically monitoring said bridge for signs of additional deterioration while said design progresses; and

WHEREAS, the current condition of the bridge is such that temporary repairs will be inadequate to maintain the integrity of the structure; and

WHEREAS, a permanent replacement of the structure is now required; and

WHEREAS, the Department of Environmental Control has estimated the cost of such emergency permanent replacement approximately at \$110,000.00;

NOW, THEREFORE, be it

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RESOLUTION NO. (217-1997) Continued

RESOLVED, that the Town Board of the Town of Clarkstown hereby grants approval to the Nyack Lions Club to hold a Turkey Shoot on the dates specified, and be it

FURTHER RESOLVED, that the Chief of Police of the Town of Clarkstown shall be notified of the time and place of each Turkey Shoot.

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. (218-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Helen Hayes Hospital, a New York State Hospital, is one of the foremost rehabilitation hospitals in the United States; and

WHEREAS, Helen Hayes Hospital has continuously provided a high level of rehabilitation care under the auspices of the State of New York; and

WHEREAS, there is a proposed amendment to Section 403 of the Public Health Law which would authorize the privatization of Helen Hayes Hospital, removing it from the State Hospital system; and

WHEREAS, it is the sense of this Town Board that such privatization would be deleterious to the continued operations of Helen Hayes Hospital, would jeopardize the quality of services rendered by said Helen Hayes Hospital and could result in the replacement of the skilled and dedicated staff of said Helen Hayes Hospital with less expensive but inferior staffing;

NOW, THEREFORE, be it

RESOLVED, that the Governor, Assembly and Senate are hereby urged to defeat the proposed privatization of Helen Hayes Hospital and to continue its current operation as a State hospital within the New York State Hospital system, and be it

FURTHER RESOLVED, that the Clerk to the Town Board be and is hereby authorized and directed to send a certified copy of this resolution to the Honorable George Pataki, Governor of the State of New York; Honorable Joseph Holland, New York State Senator; Honorable Sam Colman, Honorable Alexander J. Gromack, and Honorable Nancy Calhoun, Members of the New York State Assembly; the President Pro Tempore of the New York Senate; the Speaker of the New York State Assembly; the Majority and Minority Leaders of the New York State Senate and Assembly; and to such other persons as the Clerk may feel proper in order to effectuate the purpose of this resolution.

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. (219-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown,

NOW, THEREFORE, be it

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

Annual Senior Citizen Show Cast Party
May 3, 1997
Congers Community Center
Gilchrest Road
Congers, New York, and

Annual Senior Citizen Picnic
June 10, 1997 (Raindate: June 11th)
Congers Lake Memorial Park
Gilchrest Road
Congers, 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. (220-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board is desirous of performing certain road improvments along Main Street, New City, and

WHEREAS, the Department of Environmental Control has determined that additional detailed subsurface investigations are required to verify existing subbase conditions prior to the design of said improvements,

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is authorized to hire Soiltesting, Inc., 140 Oxford Road, Oxford, Connecticut, to perform subsurface investigations in accordance with the proposal received by the Department of Environmental Control, in an amount not to exceed \$5,300.00 and be it

FURTHER RESOLVED, that this be a proper charge of Account #H-5111-400-409-0-4-16.

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. (221-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, POWER TEST PETROLEUM DIST., INC. #350 has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 6, Block C, Lot 13.1 for the year(s) 1992, 1993, 1994 and 1995, and

WHEREAS, it is desirable to have a trial 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 trial appraisal at a fee not to exceed \$5,000.00 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. (222-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, LEEMILT'S PETROLEUM, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcels designated as Map 122, Block C, Lot 11 and Map 134-A-52.2 for the year(s) 1992, 1993, 1994, 1995 and 1996, and

WHEREAS, it is desirable to have a trial 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 trial appraisal at a fee not to exceed \$5,000.00 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. (223-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a certain veterans' organizations have requested monetary assistance from the Town to defray rent costs, provide funds for parades, memorial services and other activities;

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RESOLUTION NO. (223-1997) Continued

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 (\$500.00 for leasing or rental and maintenance of meeting facility and \$250.00 for patriotic observance) to the following veterans' organization for the years 1996 and 1997:

Clarkstown Memorial - V.F.W.	Post 851
New City Memorial - V.F.W.	Post 8749
Wm. E. DeBevoise, Jr. American Legion Way	Post 1682
Veterans of Foreign Wars	Post 3773
Willis Polhemus - V.F.W.	Post 9215

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

FURTHER RESOLVED, that said funds will be charged against 1997 Account No. A-6510-401.

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. (224-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a certain veterans' organization has requested monetary assistance from the Town to defray rent costs, provide funds for parades, memorial services and other activities;

NOW, THEREFORE, be it

RESOLVED, that in accordance with Section 64(13) of the Town Law, the Town Board hereby appropriates the annual sum of \$750.00 (\$500 for leasing or rental and maintenance of meeting facility and \$250 for patriotic observance) to the following veterans' organization for the years 1996 and 1997:

Lt. Walter Lipman Jewish War Veterans	Post 756
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and be it

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

FURTHER RESOLVED, that said funds will be charged against 1997 Account No. A-6510-401.

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. (225-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, Emily Feiner, CSW and Brian Connolly, CSW, Clarkstown Counseling Center attend conference on April 23, 1997 - Attention Deficits in Children and Adults - Suffern, New York. Registration fee: \$60.00 per person.

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. (226-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes Robert Stritmater, Director of Automated Systems, to attend an Internet Electronics Conference on March 20, 1997, which is being held at the Jacob Javits Convention Center in 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. (227-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Partners in Safety is offering a class entitled "Supervisor Training for Reasonable Suspicion," of drug and alcohol use, and

WHEREAS, said training is mandated by the Federal Government for supervisors of safety-sensitive personnel,

NOW, THEREFORE, be it

RESOLVED, that Frank Fee, Penny Leonard, John Mauro, George Drescher, John Clune, Karl Gerlack, Thomas Westervelt, Jack Fay, Charles Corletta, Joseph Clay and Dennis Letson are hereby authorized to attend said training on April 11, 1997, and be it

FURTHER RESOLVED, that the cost of \$79.00 for the first person and \$59.00 for each additional person shall be charged to Account 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. (228-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with FIRE SYSTEMS, INC., in a form approved by the Town Attorney, to provide semi-annual inspections and service on the halon fire alarm system protecting the Town of Clarkstown's Computer Room, and be it

FURTHER RESOLVED, that this agreement shall run for a period of one year, and be it

FURTHER RESOLVED, that the annual fee for such services shall be \$560.00 (\$280.00 per inspection), plus fees for emergency services as authorized by the Director of Automated Services, and shall be charged to Account No. A-1680-438, and be it

FURTHER RESOLVED, that this Resolution is retroactive to February 14, 1997.

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. (229-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with the New City Fire Engine Company No 1, in a form approved by the Town Attorney, for use of the former Police Department Workout Room, located at 10 Maple Avenue, 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. (230-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town of Clarkstown is desirous of continuing the collection of magazines and junk mail within its jurisdiction; and

WHEREAS, Marcal Paper Mills, Inc. has submitted an agreement for the marketing of said products;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Marcal Paper Mills, Inc. for the marketing of recycled magazines and junk mail; and be it

RESOLUTION NO. (230-1997) Continued

FURTHER RESOLVED, that this agreement be retroactive to December 31, 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. (231-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Phoenix Systems & Analysis, Inc., in a form satisfactory to the Town Attorney, to pay for August Stritmater to attend the Internet Electronics Conference on March 20, 1997, at the Jacob Javits Convention Center in New York, at a rate of \$65.00 per hour, with no additional compensation for any other expenses.

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. (232-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, MARK MANCE v. THE TOWN OF CLARKSTOWN, et al;

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (233-1997)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Attorney is hereby authorized to defend a proceeding against the Town of Clarkstown entitled, HERBERT R. STECK, JR., in a proceeding pursuant to

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RESOLUTION NO. (233-1997) Continued

ARTICLE 78 of the CPLR against THE ZONING BOARD OF THE TOWN OF CLARKSTOWN, DR. ARNOLD AMSTER as Chairperson and ADOLPH MILICH, in his capacity as Building Inspector of the Town of Clarkstown 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. (234-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$4,104.00 from Corporate Property Investors and \$6,569.99 from Lancer Insurance Co. and be it

THEREFORE, RESOLVED, to increase Estimated Revenue A 01 9 2705 (Gifts and Donations) and A 3120 111 (Police Overtime) by \$4,104.00 and increase Estimated Revenue A 01 8 2680 0 (Insurance Recoveries) and A 5630 406 (Mini-Trans-Repairs to Vehicles) by \$6,569.00

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. (235-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received \$490.55 collected at various dance activities, and be it

THEREFORE RESOLVED, to increase Revenue Account No. 01-002001 (Park and Recreation Charges) and Appropriation Account 7141-329 (Recreation Supplies) by \$490.55.

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. (236-1997)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, various funds require additional funding and be it

THEREFORE RESOLVED, to decrease Appropriation Account No. B 8020 314 (Planning-Computer Paper) and increase B 8020 409 14 (Fees for Service-Howard Lampert) by \$525.00; decrease Contingency Account No. A 1990 505 and increase A 5650 409 (Commuter Parking-Fees for Services) by \$1,000.00 and decrease Contingency Account No. A 1990 505 and increase A 5650 307 (Commuter Parking-Uniforms) by \$105.00

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. (237-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Court Attendant #96107 which contains the name of Daniel V. Coyne,

NOW, THEREFORE, be it

RESOLVED, that Daniel V. Coyne, 6 Brookside Avenue, New City, New York, is hereby appointed to the (Permanent) position of Court Attendant - Town Justice Department - at the current 1997 annual salary of \$23,258.00, effective and retroactive to March 10, 1997.

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. (238-1997)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Daniel Coyne has requested a leave of absence, without pay, and

WHEREAS, Article XIX, Section 1 of the Labor Agreement between the Town of Clarkstown and the Clarkstown Unit of the C.S.E.A. provides for a leave of absence, without pay,

NOW, THEREFORE, be it

RESOLVED, that Daniel Coyne, 6 Brookside Avenue, New City, New York - Court Attendant - Town Justice Department - is hereby granted a leave of absence, without pay, effective and retroactive to March 10, 1997 to December 23, 1997.

Continued on Next page

RESOLUTION NO. (238-1997) 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. (239-1997)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Maureen R. Lynch, 17 Pine Lane, New City, New York, is hereby appointed to the position of (Provisional) File Clerk - Town Clerk's Office - at the current 1997 annual salary of \$21,854.00, effective and retroactive to March 3, 1997.

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. (240-1997)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install signs at the Town of Clarkstown Commuter Parking Lots advising commuters of parking restrictions.

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. (241-1997)

Co. Smith offered and Co. Maloney seconded

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

BID #15-1997
HIGHWAY SIGNING AND ROAD MAINTENANCE SUPPLIES

is hereby awarded to:

CAPITOL HIGHWAY MATERIALS, INC.	3M COMPANY
ROUTE 6	3M CENTER BUILDING 225-5S-08
BALDWIN PLACE, NY 10905	BOX 33225
PRINCIPALS: MARK ABRAMS	ST. PAUL, MN 55144
VICTOR PAIS	PRINCIPAL: PUBLIC CORPORATION
SIDDARTH BHATTACHARJI	
KEN KAROGLANIAN	

Continued on Next Page

RESOLUTION NO. (241-1997) Continued

GARDEN STATE HIGHWAY PRODUCTS, INC. 2 FOWSER ROAD MILLVILLE, NJ 08332 PRINCIPALS: SHARON L. GREEN ROBERT A. GREEN	EXPANDED SUPPLY PRODUCTS, INC RD #1-BOX 93 COLD SPRING, NY 10516 PRINCIPALS: BRUCE KEHR DONNA KEHR
---	--

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

(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. (242-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Chief of Police that

BID #25-1997
UNIFORM MAINTENANCE SERVICES FOR
THE CLARKSTOWN POLICE DEPARTMENT

is hereby awarded to:

SPARKLE DRY CLEANERS
D/B/A KWON'S CLEANERS
12 ORANGETOWN SHOPPING CENTER
ORANGETOWN, N.Y. 10962
PRINCIPAL: DAVID O. CHUN KWON

as per the following item/price proposal:

Trousers - Dry Cleaned.....	Per Unit....	\$ 2.35
Shirts - Dry Cleaned.....	Per Unit....	2.35
Leather Jackets - Dry Cleaned.....	Per Unit....	25.00
Poplin Jackets - Dry Cleaned.....	Per Unit....	6.50
Dacron/Wool Jackets - Dry Cleaned.....	Per Unit....	6.50
Hurricane Jackets - Dry Cleaned.....	Per Unit....	8.50
Honor Guard Blouses.....	Per Unit....	7.50
Hats - Dry Cleaned.....	Per Unit....	3.00
Ties.....	Per Unit....	1.00
White Dress Shirts - Laundered.....	Per Unit....	1.50
Blazers.....	Per Unit....	4.75
Slacks.....	Per Unit....	2.50

Percent cost increase for a one year extension to contract (at the option of the Town 0%.)

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. (243-1997)

Co. Smith offered and Co. Maloney seconded

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

BID # 13-1997
FIRST AID/SAFETY SUPPLIES

is hereby awarded to:

GARDNER SURGICAL COMPANY
382 BROADWAY
BROOKLYN, NY 11211
PRINCIPAL: JUDITH SILVERSTEIN
ROBERT SILVERSTEIN

MICRO BIO-MEDICS INC
846 PELHAM PKWY
PELHAM MANOR, NY 10803
PRINCIPAL: PUBLIC CORPORATION

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

AMZCO HEALTH SUPPLY
200 N MAIN ST
FREEPORT, NY 11520
PRINCIPAL: JAWAID RATCHER

KENCO SAFETY PRODUCTS
1000 HURLEY MT ROAD
WEST HURLEY, NY 12401
PRINCIPAL: ELIZABETH KENNEDY
WILLIAM KENNEDY
JAMES KENNEDY

G.E. PICKERING INC
263 GLEN COVE AVE
SEA CLIFF, NY 11579
PRINCIPAL: GEORGE E. PICKERING

(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. (244-1997)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that the Supervisor is hereby authorized to apply to the U.S. Fish and Wildlife Service and to the NYS Department of Environmental Conservation for depredation permits to reduce the number of nuisance Canada geese in Town-owned 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. (245-1997)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, corrective drainage reconstruction within a Town easement in the vicinity of 23 Long Meadow Drive, New City,

Continued on Next Page

RESOLUTION NO. (245-1997) Continued

New York has been completed in conformance with Town Board Resolution #449, dated May 14, 1996; and

WHEREAS, it was the intent for the Town of Clarkstown to provide the bedding fabric and the medium stone (18" and under) channel protection under separate agreement when it became evident to what extent this was necessary; and

WHEREAS, the Department of Environmental Control caused these materials to be provided for the drainage reconstruction;

NOW, THEREFORE, be it

RESOLVED, that the Director of Environmental Control is hereby authorized to pay Expanded Supply Products an amount not to exceed \$1,032.00 for the bedding fabric and pay Tilcon New York, Inc. an amount not to exceed \$6,450.00 for the stone; and be it

FURTHER RESOLVED, that the cost for paid materials shall be a proper charge to Account #H 1994-409-0-14-28.

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. (246-1997)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that the Town Board hereby authorizes the allocation of \$1,000 to the Rockland Youth Leadership Conference, 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 these funds shall be charged to Account No. 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. (247-1997)

Co. Maloney offered and Co. Smith seconded

WHEREAS, the Clarkstown Police Department D.A.R.E. Program is sponsoring an annual scholarship in memory of Robert Looney, a former principal in the Clarkstown School District, and

WHEREAS, such program is deemed beneficial to Town residents;

Continued on Next Page

RESOLUTION NO. (247-1997) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the allocation of \$500.00 to the Clarkstown Police Department D.A.R.E. Program, for it's scholarship in memory of Robert Looney, a former principal in the Clarkstown School District, and be it

FURTHER RESOLVED, that these funds shall be charged to Account No. 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. (248-1997)

Co. Smith offered and Co. Profenna seconded

WHEREAS, the Department of Environmental Control requires sanitary sewer easements, with descriptions and sanitary sewer as-builts in connection with the Route 9W West Sewer project; and

WHEREAS, the Department of Environmental Control has obtained a proposal from Atzl, Scatassa & Zigler, Land Surveyors, P.C. for said surveying services;

NOW, THEREFORE, be it

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to obtain the services of Atzl, Scatassa & Zigler for an amount not to exceed \$7,200.00; and be it

FURTHER RESOLVED, that this be a proper charge to Account No. H-8111-400-409-0-89.

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. (249-1997)

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

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of

Continued on Next Page

RESOLUTION NO. (249-1997) Continued

Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. for street lighting at the following locations:

Townline Road, West Nyack
(Install one (1) 5800 lumen sodium vapor street light - existing utility pole number 59673/39311)

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. (250-1997)

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 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 locations:

Woodglen Road, New City
(Install one (1) 5800 lumen sodium vapor street light - existing utility pole number 59128/42666)

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. (251-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, tax certiorari proceedings were commenced in Supreme Court, State of New York, County of Rockland entitled, CHEMICAL BANKING CORPORATION v. THE ASSESSOR OF THE TOWN OF CLARKSTOWN, THE BOARD OF REVIEW OF THE TOWN OF CLARKSTOWN, THE TOWN OF CLARKSTOWN, and CLARKSTOWN CENTRAL SCHOOL DISTRICT, Index No(s). 3860/96, 5310/93, 4753/94, 4228/95 and 3932/96, affecting parcel(s) designated as Map 58, Block G, Lot 38, for the year(s) 1992, 1993, 1994, 1995 and 1996, 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

Continued on Next Page

RESOLUTION NO. (251-1997) Continued

petitioner(s) described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1992 from \$305,700 to \$269,000;

2. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1993 from \$305,700 to \$281,250;

3. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1994 from \$305,700 to \$278,200;

4. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1995 from \$305,700 to \$272,000;

5. That the assessment on the premises owned by the petitioner(s) described on the assessment roll as Map 58, Block G, Lot 38 be reduced for the year 1996 from \$305,700 to \$269,000;

6. That reimbursement for the year(s) 1992, 1993, 1994, 1995 and 1996 on the parcel described as Map 58, Block G, Lot 38 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

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

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

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

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

RESOLUTION NO. (252-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the SWARTWOUT LAKE HOMEOWNERS ASSOCIATION has informed the Town Board that a fire hydrant located on association property for which annual charges are reimbursed to the Town with a 10% handling charge after the Town has received billing from United Water, can be paid for directly to said water company, and

WHEREAS, such billing is pursuant to a Declaration of Covenant recorded pursuant to the site plan and/or subdivision approval granted to the developer, and

Continued on Next Page

RESOLUTION NO. (252-1997) Continued

WHEREAS, United Water has agreed to bill such services directly to said homeowners association which shall result in avoidance of handling charges, and

WHEREAS, said association has alleged that one of the two hydrants being billed to it may also benefit premises located beyond the boundaries of residences belonging to the members of the SWARTWOUT LAKE HOMEOWNERS ASSOCIATION, and the Fire Inspector has investigated such allegation and advised the Town Board that said hydrant provides fire safety benefits for other properties as well, and is not exclusively for the benefit of the SWARTWOUT LAKE HOMEOWNERS ASSOCIATION;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into a modification of the Declaration of Covenant recorded in the Rockland County Clerk's office on July 10, 1986, by instrument drawn subject to the Town Attorney's approval, which shall provide that annual maintenance charges for the hydrant located in the interior of the SWARTWOUT LAKE HOMEOWNERS ASSOCIATION development be billed directly to said association, provided further that United Water agrees to notify the Town if and when said service is interrupted and/or maintenance is delayed, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized to acknowledge in said Declaration of Covenant that Hydrant #26-11x8116H does not exclusively benefit properties within the SWARTWOUT LAKE HOMEOWNERS ASSOCIATION development, and that future charges for maintenance of said hydrant may be billed directly to the Town without any expense to said homeowners association.

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. (253-1997)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Town Board of the Town of Clarkstown, as Board of Directors of the Carpenters and Joiners Local (64 Housing Development Fund Co., Inc., hereby authorize the signing of the 1996 financial statement for the Middlewood Senior Citizens' Complex - HUD Project No. 012-44136-NP-WAH.

On roll call the vote was as follows:

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

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RESOLUTION NO. (254-1997)

Co. Smith offered and Co. Maloney seconded

WHEREAS, Partners in Safety is offering a class entitled "Supervisor Training for Reasonable Suspicion," of drug and alcohol use, and

WHEREAS, said training is mandated by the Federal Government for supervisors of safety-sensitive personnel, and

WHEREAS, Michael Araneo, a consultant to the Town who does business as Michael Araneo Inc., supervises some safety-sensitive Town employees,

NOW, THEREFORE, be it

RESOLVED, that Michael Araneo doing business as Michael Araneo Inc. is hereby authorized to attend said training on April 11, 1997, and be it

FURTHER RESOLVED, that the cost of \$59.00 shall be charged to Account 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. (255-1997)

Co. Smith offered and Co. Profenna seconded

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

BID #23A-1997
SOFT DRINKS FOR TOWN OPERATED REFRESHMENT STANDS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on March 27, 1997 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. (256-1997)

Co. Smith offered and Co. Profenna seconded

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

Continued on Next Page

RESOLUTION NO. 257-1997

CONTRACT FOR SECURITY GUARD SERVICES

to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 1:00 PM on April 17, 1997 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.....aye
 - Councilman Mandola.....aye
 - Councilman Profenna.....aye
 - Councilwoman Smith.....aye
 - Supervisor Holbrook.....aye
- *****

RESOLUTION NO. 257-1997

Co. Smith offered and Co. Profenna seconded

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

BID #32-1997
SECURITY GUARD SERVICES

bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 1:00 PM on April 17, 1997 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.....aye
 - Councilman Mandia.....aye
 - Councilman Profenna.....aye
 - Councilwoman Smith.....aye
 - Supervisor Holbrook.....aye
- *****

RESOLUTION NO. 258A-1997

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement 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 1997 to:

ARC	\$5,000.00
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FURTHER RESOLVED, that the total amount of \$5,000.00 be transferred from Account #A 2490-505 to Account #A 8640 404.

Continued on Next Page

RESOLUTION NO. (256-1997) Continued

BID #28-1997
CONCRETE SIDEWALK & CURB REPLACEMENT

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on April 3, 1997 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. (257-1997)

Co. Smith offered and Co. Profenna seconded

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

BID #32-1997
SECURITY GUARD SERVICES

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on April 15, 1997 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. (258A-1997)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement 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 1997 to:

ARC \$5,000.00

FURTHER RESOLVED, that the total amount of \$5,000.00 be transferred from Account #A 1990-505 to Account #A 8840 424.

Continued on Next Page

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RESOLUTION NO. (258A-1997) Continued

FURTHER RESOLVED, that the total amount of \$5,000.00 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 1997 and are to be charged against Account #8840 424.

On roll call the vote was as follows:

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

RESOLUTION NO. (258B-1997)

Co. Smith offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement 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 1997 to:

Association for the Visually Impaired	1,000.00
Camp Venture	5,000.00
Foster Grandparent Program	700.00
Friends of the Nyacks	500.00
Home Aides of Rockland	1,400.00
Nyack High School PTSA "Project Graduation"	1,500.00

FURTHER RESOLVED, that the total amount of \$10,100.00 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 1997 and are to be charged against Account #8840 424.

On roll call the vote was as follows:

Councilman Maloney.....Abstained
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: 9:05 PM

Respectfully submitted,
Patricia Sheridan

PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

03/11/97

8:05 P.M.

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

Re: Proposed Local Law Amending Chapter 200 (Parking) of the Town Code

On motion of Co. Maloney seconded by Co. 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.

There being no one wishing to be heard, on motion of Co. Smith, seconded by Co. Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION NO. (207-1997) ADOPTED, time: 8:07 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (207-1997) ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

03/11/97

8:10 P.M.

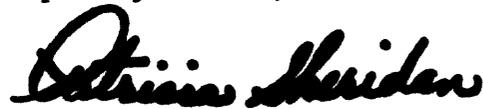
Present: Supervisor Holbrook
Council Members Maloney, Mandia, Profenna & Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Re: Proposed Local Law Amending Chapter 250 (Streets & Sidewalks) of the Town Code

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

There being no one wishing to be heard, on motion of Co. Smith, seconded by Co. Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION NO. (208-1997) ADOPTED, time: 8:13 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (208-1997) ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

03/11/97

8:15 P.M.

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

Re: Proposed Water District Extension: M & O Properties, Inc. (122-C-4)

On motion of Co. Smith, seconded by Co. 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.

There being no one wishing to be heard, on motion of Co. Smith, seconded by Co. Maloney and unanimously adopted, the public hearing was declared closed, RESOLUTION NO. (209-1997) ADOPTED, time: 8:16 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

(RESOLUTION NO. (209-1997) ADOPTED)

**TOWN OF CLARKSTOWN
PUBLIC HEARING**

Town Hall

03/11/97

8:20 P.M.

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

Re: Proposed Zone Changes to R-160

On motion of Co. Maloney seconded by Co. 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.

Town Attorney stated that the Town Planning Board and County Planning Board had approved. SECRA report states no environmental impact. Three properties have filed objections and must be voted on by a majority + 1: Gabriel Property, 26A1.06; Stern Property 99A12.1 and Bliss Property 136C1.0102.

Supervisor Holbrook asked Mr. Geneslaw to make the presentation.

Robert Geneslaw stated that last Fall, the Town Board adopted a four month moratorium and asked that the Planning Board look at the properties that border properties zoned R-160 to determine if the boundaries of the R-160 districts should be expanded. This district was created about 12 years ago and at that time it was the largest lot zoning category in the County. At that time, the Town took a relatively conservative position in terms of the properties that were zoned R-160. Since that time it has withstood legal challenges. There has been development of some of the R-160 properties showing that development is feasible and there has been at least one acquisition of property for future park purposes; that is, the former winery which was adjacent to some of the R-160 property.

The Planning Board looked at properties during the four month moratorium and recommended that 30 properties be considered for rezoning. Two-thirds of these are in North New City and about one-third are in Valley Cottage. Of the thirty, seven are in public ownership or will be shortly. The balance of 23 are privately owned and comprise roughly 187 acres. About one-half of these would not be affected because of their size. The Planning Board tried to see where there were properties that were steep, had a lot of rock, wetlands, streams, etc., any features that would make it appropriate to change them to the R-160. Also to look at the cohesiveness of the boundaries to try to establish a reasonable boundary for the R-160 district. Two LO properties included in the properties recommended for zone change are located in Valley Cottage. Both are owned by Lone Star Industries. He asked if the Town Board had any questions.

Co. Mandia asked about the properties that are on the Town periphery with respect to what the neighboring properties were zoned.

Mr. Geneslaw responded that the adjacent properties to this property are zoned one acre or less. These are north of Christian Herald Road on the west side of 9W in Upper Nyack. Some of the properties cross municipal boundaries. The backs of some of those lots where it gets steep is actually in the town. The Planning Board is suggesting that the portions in the Town be change to R-160.

Supervisor Holbrook asked if there were anyone wishing to make comments to do so at this time.

Appearance: Edmund Gabriel
35 Central Highway, New City

Mr. Gabriel has lived here about 35 years. His house is on 4 acres and his daughter owns the 2 acres that adjoin the property. He owns the property across the street for 30 years, and has paid in excess of \$200,000 in taxes on it. It is in the same condition that it was in when they bought it. He has resisted developing this property because he lives across the street. Mr. Gabriel has protected this property for 35 years and he feels it is unnecessary to entertain the zoning that is being proposed. It is unnecessary to redistrict wetlands, slopes etc. because the town has enough controls now that people cannot build on slopes, wetlands, high peaks, etc. Therefore, to rezone and depreciate the value of his property is unfair. He has no intention to exploit this property, he lives there.

Appearance: Hector Kozamono
9 Brook Road, New City

Mr. Kozamono has a two acre lot with his home on it. If this is rezoned, he cannot make modifications to his home without going before the ZBA. Right now he lives in an area that has few town services. He lives on a dirt road, has no sewers, no water service and he lives in the East Ramapo School District. He now feels you want to take his property and make it worth even less money. Mr. Kozamono is opposed to the zone change.

Appearance: Nicki McDonald

Mr. McDonald does not want her property considered for this zone change. Her father has lived here for 40 years at 415 Buena Vista Road. He bought this property about 20 years ago with the hopes of giving it to his children and grandchildren. He also gave the town, at no cost, 13 acres directly next to this property. In 1988, he subdivided 2 acres from this lot that you are talking about and he had to submit a conceptual plan to the Town and the Town passed this on the conceptual plan for 2 acre lots. There are no plans to build anything on this in the near future. She hopes the Town will not decrease the value of her family's property and ruin her family's future plans for passing this land down to children and grandchildren.

Appearance: Donald S. Tracy, Esq.
Representing Karl Langrin

Mr. Langrin's property was described by Mr. Geneslaw as being on Rte. 9W with about 125 feet depth that was buildable and then going straight up into an unbuildable slope. He is adjacent to village zoning which is R-10 and commercial uses. To rezone this property to R-160 would confiscate it. Wonders why this sweeping change. He suggests that it does not protect certain geographical features such as slopes, as you could still build on slopes in an R-160. There are other planning tools that can be used such as a conservation easement. The other is the use of Town Law average density. Why is this being done? Is it because the Planning Board decided that it wanted to protect certain natural features? He feels there are ample planning tools available that would accomplish the exact same thing without the hardship which passage of this zone change will inflict. Mr. Tracy has a 265 petition for Mr. Langrin's property that he will submit to the Town Attorney's office tomorrow.

Appearance: Peggy Kurtz
Clarkstown

Ms. Kurtz is in favor of extending R-160 in order to help conserve open spaces in our communities. In particular, she feels this is important for the ridge and all of the mountain to the southwest of Hook Mountain across 9W.

Appearance: Benjamin Bedell
16 Hi Tor Road
New City, NY

Mr. Bedell owns some of the property up for rezoning. He is in favor of change and feels in particular the Hi-Tor area is unique and should be preserved. He feels that this will increase the value of his property rather than decrease it.

Appearance: Keith Cornell, Esq.
Representing the Stern Family (Lot #12.1)

Mr. Cornell urges the Board not to adopt the upzoning with respect to this lot. He agrees with Mr. Tracy that there are other tools that the Planning Board can use. This parcel is particularly subject to a dramatic loss in value if it were to be upzoned. This parcel consists of approximately 7 acres and it would mean that now they could put 3 single family residences on the property. If it were upzoned, only 1 single family residence could be built. There is a pending subdivision plan and it is unfair to the Stern family who has made a substantial investment. He does not understand the logic behind it and requested that this lot not be upzoned.

Appearance: Russell Trojan
Clarkstown resident

Mr. Trojan, with respect to the Lone Star property, feels it should be in this plan, but the Town should search out other acreage in the town that can be zoned LO as replacement. The Town has enough residential and shopping property, but not enough for other uses for a balance tax base.

Appearance: Marion Maher
Valley Cottage, NY

Ms. Maher supports the R-160 zoning. She feels that things are being developed too quickly. It is important to preserve the birds and the bees, especially the property on the ridges.

Appearance: Martus Granier
President, West Branch Conservation, New City

Mr. Granier is pleased that the Planning Board is considering the R-160 rezoning. Almost every month you adopt an MF (multi-family). R-160 is a way to provide a balance to protect the ridge lines, the steep slopes and the land around public parks with very low density zoning. He feels this rezoning would protect parkland that costs the public a tremendous amount of money and effort. He stressed to the Board that their duty is largely to the public. You are not depriving owners of all their economic return, only limiting it. Some owners welcome this change. You have not done anything over the years to correct the changes in R-160, but have gone on adding MF to the Town. Mr. Granier feels its time to add a little more R-160.

Appearance: Joan King
New City

Ms. King is in favor of change to preserve open land.

Appearance: Pete Thomas
Representing St. Thomas Lutheran Church

Mr. Thomas objects to the proposed change. He bought land adjacent to a proposed rezoned lot and cannot get access to it. If this zone change comes, getting access will be harder.

Appearance: Cynthia Streeta

Ms. Streeta owns property adjacent to one of the lots. She is in favor of the zone change in order to keep the county a decent place to live.

Co. Mandia asked about the 265 petitions that were filed and if only those properties required a super majority vote.

Town Attorney said yes.

Co. Mandia asked if it were correct that these properties could be voted on separately?

Town Attorney answered yes.

Co. Mandia is curious about the impact that voting on this separately might have on the overall planning concept.

Supervisor Holbrook said a lot of these lands were considered for R-160 years ago, but were not included for some reason. Some would be easily included in this, while others where people have raised objections, the Board Members will have to think upon. Supervisor suggested that the Public Hearing be closed at this point, reserve decision and discuss with the planners the properties that the Town Board would like to include. For those that require super majority, if that doesn't exist, they would not be put up for a vote and those that would have a simple majority would be put up for a vote. That meeting would be open to the public so they could attend.

Appearance: Maria Collins

Ms. Colling stressed that the Board look very carefully at those lands that border on our public water supply.

Co. Smith asked Town Attorney about the two owners who spoke in favor of the rezoning. Do they have the right to come in and make that on their own motion if they want to change their zone?

Town Attorney said they are in this anyway, they don't have to.

There being no one further wishing to be heard on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing was declared closed, DECISION RESERVED, (to be discussed at April 14th workshop) time: 9:05 P.M.

Respectfully submitted,


PATRICIA SHERIDAN
Town Clerk