

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

2/10/98

8:00 P.M.

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

Supervisor declared Town the Board Meeting open.

Sergeant Timothy O'Neill introduced Detective Gary McDonald and the Police Honor Guard for the Presentation of Colors. Police Chief William J. Collins led the assemblage in saluting the Flag.

Invocation was given by Police Commissioner, Hon. John R. Maloney. Police Commissioners John Danahy and Hon. Ralph F. Mandia were also present. The following Officers then received their shields and took the Oath of Office:

Adm. Lt. Peter Noonan
Lt. Robert Mahon
Sgt. Glenn Dietrich
Sgt. Anthony Ovchinnikoff
Det. William Fritz
P.O. Joseph Dwyer

Chief Collins congratulated the Officers and their families. He thanked the Town Board and the Police Commission for their continued support of the Police Department. stating they have enabled us to maintain our staffing and supervisory levels. Detective Thomas Sheehy, Clarkstown P.B.A. President, congratulated the Officers and their families. They are going to bring you the best they can for as long as they can. The Town Board congratulated the Officers and their families. The Town Board is committed to Public Safety and making our Police Department the best there is. Police Commissioner, John Danahy, congratulated the Officers and stated that he is very impressed with this Police Department. Patrol Captain, Kevin Kilduff, stated that this was a particular pleasure and he appreciates the support of the Town Board. He congratulated the Officers and thanked the Town Board. Administrative Captain William Sherwood also congratulated the Officers.

Supervisor opened the public portion of the meeting.

Appearance: Frank Avella
12 Grandview Avenue, Nanuet

He asked the Town Board to give much thought to Item #15 on the agenda before rendering a decision that would adversely affect many local property owners for the sake of one person's benefit. This application has been previously reviewed and rejected several times under different headings. He is against this proposed Local Law.

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Appearance: George Pejoves
West Nyack

He spoke regarding Star Enterprise and the height of the wall extension. He also spoke regarding Item #16 and asked if Pyramid took deed to Snake Hill Road.

Appearance: Martin Bernstein
New City

He asked if he could go to Planning Board meetings and speak. He asked for an explanation of Items #3, #6B, #9, 11, 19 and #21.

Appearance: Bruce Broadley
West Nyack

Spoke regarding the canopies and lights on the Texaco Station in Nyack and Exxon on Route 59. He spoke about the stop sign and turning signs coming out of the mall in the area of Snake Hill Road and Old Mill Road.

Appearance: Scott Nangle
156 Strawtown Road, West Nyack

He supports Item #16 on the agenda. Left turns from the bridge on to Snake Hill lead into residential areas with historic homes, narrow streets, three schools, lots of children and few sidewalks.

Appearance: John Lodico
New City

Spoke regarding Item #11, ARCO Management. The Town should develop a new committee.

Appearance: Phil Bosco

Mr. Bosco asked about Item #6a, Kosma Associates v. Roy Weston and the Town of Clarkstown. This relates to work done on the Hackensack project

Appearance: Art Bridgeman
Old Mill Road, Valley Cottage

Spoke re: the Pyramid Zone Change and Item #16. He is in favor of Item #16.

Appearance: Bob Jackson
76 Briar Road, Nanuet

Mr. Jackson spoke re: Item #15, Route 59 Corridor. He wants the public hearing.

Appearance: Jim Waters
67 Grandview Ave., Nanuet

He asked about Item 15, the Special Permit for Conversion of Existing Single Family Residences and what it will be converted to.

Supervisor opened portion of meeting for general comments:

Appearance: George Pejoves
West Nyack

Questioned the procedure for authorizing the installation of traffic signs near the Pyramid mall. Is concerned that not allowing left turns on to Snake Hill Road upon exiting the mall will cause a traffic nightmare on Route 303. Questioned whether additional money has been allocated for cleaning up streets in the area of the mall.

Appearance: Martin Bernstein
New City

Feels there should be a public hearing to allow a certain piece of property located on Grandview Avenue to be used as a professional office.

Appearance: Ted Dusenanko, Sr.
New City

Spoke regarding televising Town Board Meetings.

Appearance: John Lodico
New City

Spoke regarding the Hackensack River clean up. Feels there should be a committee appointed to oversee this.

Appearance: Bruce Broadley
West Nyack

Spoke about the traffic studies regarding the Pyramid Mall which were accepted.

Appearance: Philip Bosco
West Nyack

Likes the idea of forming a committee for the Hackensack River clean up. Also spoke regarding the effect of the sanitary landfill on the river.

Appearance: Art Bridgemen
Valley Cottage

Questioned whether completion of the wetlands next to the landfill is part of the terms of opening the mall in March. Also had questions about the Pyramid Mall staging area off of Snake Hill Rd. and the truck traffic generated by this.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Public Hearing re: Rockland County Consortium for Community Development Funds was opened, time: 8:30 P.M.

On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted, the Public Hearing re: Rockland County Consortium for Community Development Funds was closed, RESOLUTION ADOPTED, time: 8:45 P.M.

On motion of Co. Maloney, seconded by Co. Smith and unanimously adopted, the Public Hearing re: Petition for Special Permit - Star Enterprise, was opened, time: 8:45 P. M.

On motion of Co. Mandia, seconded by Co. Smith and unanimously adopted, the Public Hearing re: Petition for Special Permit - Star Enterprise, was closed, DECISION RESERVED, time 9:05 P.M.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Public Hearing re: Petition for Special Permit - Hattenburg Development Co, Inc. was opened: 9:05 P.M.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Public Hearing re: Petition for Special Permit - Hattenburg Development Co, Inc. was closed, RESOLUTION ADOPTED, time: 9:45 P.M.

RESOLUTION NO. (140-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, Camp Venture is proposing to perform two projects over the next three years. One is to construct a residence for six children who have both physical and developmental disabilities, and the other project will be to renovate existing residences to accommodate eight developmentally disabled adults with Alzheimer's, and

WHEREAS, Camp Venture is requesting monetary assistance from the Rockland County Community Development Block Grant Consortium to assist with the development of these projects, and

WHEREAS, the Town Board of the Town of Clarkstown believes it would be in the best interest that Camp Venture receives the funds requested for the projects aforementioned;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby memorializes the Rockland County Community Development Block Grant Consortium in favor of Camp Venture's application to the Rockland County Community Development Block Grant Consortium to receive monetary assistance for the two projects aforementioned.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (141-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the HATTENBURG DEVELOPMENT COMPANY, INC. and SL REALTY CO. have petitioned the Town Board of the Town of Clarkstown for a Special Permit for the construction and operation of a mini-warehouse facility pursuant to the provisions of the Zoning Ordinance of the Town of Clarkstown, §290-11A, RS District, Table 12, Column 3, Item 7, and §290-17S, for property located at 49 Old Nyack Turnpike, Nanuet, New York, which property is designated on the Clarkstown Tax Map as Map 163, Block D, Lots 41 and 42, and a portion of Map 163, Block D, Lot 38.01, and

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RESOLUTION NO. (141-1998) Continued

WHEREAS, after due notice published and posted, a public hearing was held before the Town Board of the Town of Clarkstown on February 10, 1998 at 8:10 P.M., to consider such application;

WHEREAS, the Town Board has reviewed the subject application in accordance with the requirements of 6NYCRR Part 617, including the plan, the short EAF and supporting documents, and

WHEREAS, the information provided indicates that mitigation of potential environmental impact will be achieved by: (a) restriction of traffic types and flow on

NOW, THEREFORE, the Town site and surrounding roadways, (b) addition of landscape screening, (c) relocation of air handling equipment to minimize noise impact, and (d) implementation of operational rules to prevent idling vehicles from causing increased level of noise from the site; Board makes the following Special Findings pursuant to Section 290-15B of the Zoning Ordinance of the Town of Clarkstown:

That, the proposed use as described and represented by the applicants:

1. Will be properly located with respect to transportation, water supply, waster disposal, fire and police protection and other public facilities;
2. Will not cause undue traffic congestion or create a traffic hazard;
3. Will not create at any point of determination any more dangerous and objectionable elements than is characteristic of the uses permitted as of right in the same district;
4. Will not adversely affect the character of/or property values in the area;
5. Will not otherwise impair the public health, safety, morals, convenience, comfort, prosperity and other aspects of the general welfare of the Town;
6. Will comply with all other regulations applicable to such use;

NOW, THEREFORE, be it

RESOLVED, that based upon the report of Dennis Letson, Deputy Director of Environmental Control, dated February 9, 1998, acting as staff to the Town Board as lead agency, the Town Board hereby determines that the Special Permit shall not have any significant impact on the environment and no further processing pursuant to the State Environmental Quality Review Act (SEQRA) is required, and be it

RESOLVED, that a Special Permit to construct a mini-warehouse on the above described property is hereby GRANTED to the petitioners, HATTENBURG DEVELOPMENT COMPANY, INC. and SL REALTY CO., subject to the following conditions:

1. Petitioner must comply with Section 290-11C of the Zoning Ordinance of the Town of Clarkstown;
2. Petitioner shall secure site plan approval from the Planning Board;
3. Tractor trailer traffic is not permitted into the site;
4. Eastern driveway to be eliminated;
5. No addition or enlargement of existing building, cosmetic treatment only;

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RESOLUTION NO. (141-1998) Continued

- 6. Roof air conditioners to be relocated away from the adjacent residences.
- 7. There shall be egress only to Old Nyack Road. A chain or gate shall control exiting after business hours.
- 8. Strict rules imposed to prevent vehicles idling and noise generation.

and be it

FURTHER RESOLVED, that the within Special Findings and Resolution setting forth the reasons for granting such Special Permit shall constitute a written report to be filed with the Town Clerk.

On roll call the vote was as follows:

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

RESOLUTION NO. (142-1998)

Co. Profenna offered and Co. Smith seconded

RESOLVED, that the Town Board Minutes of January 27, 1998 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 HolbrookYes

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RESOLUTION NO. (143-1998)

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.

NOW, THEREFORE, be it

RESOLVED, that Wayne Ballard and Thomas Westervelt are hereby authorized to attend said training on February 10, 1998, and be it

FURTHER RESOLVED, that the cost of \$79.00 for the first person and \$59.00 for the other shall be charged to Account A-1010-414.

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RESOLUTION NO. (143-1998) Continued

On roll call the vote was as follows:

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

RESOLUTION NO. (144-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Edward J. Duer, Comptroller is hereby authorized to attend the NYS Government Finance Officers Association Conference to be held from March 18, 1998 through March 20, 1998 in Albany, New York, and that all necessary charges be charged to Appropriation Account A 1010-414 (Schools and Conferences).

On roll call the vote was as follows:

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

RESOLUTION NO. (145-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Rudolph J. Yacyshyn, Chairman of the Planning Board is hereby authorized to attend the American Planning Association conference in Boston, Massachusetts, April 4-8, 1998.

FURTHER RESOLVED that the expenses for the above, which includes a deposit fee of \$150, plus travel and other necessary expenses shall be charged to Account No. 8040, lines 404 & 414. The total registration fee will be \$435.00.

On roll call the vote was as follows:

Councilman MaloneyYes
Councilman MandiaYes
Councilman ProfennaYes
Councilwoman SmithYes
Supervisor Holbrook.Yes

RESOLUTION NO. (146-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, certain work consisting of grading and seeding at 43 Cragmere Oval, New City, Tax Map Lot 60 A 15.60, is being performed as authorized by Town Board Resolution # 783-1997; and

WHEREAS, certain additional work consisting of installing topsoil and placing sod at 43 Cragmere Oval, New City, Tax Map Lot 60 A 15.60 was authorized by the Supervisor; and

WHEREAS, the Supervisor has directed the Director of Environmental Control to hire a competent contractor to complete the additional work in a satisfactory manner;

NOW THEREFORE BE IT RESOLVED that the Director of Environmental Control hire:

Danny Clapp
59 Schriever Lane
New City, New York 10956

to perform work per their proposal at a cost not to exceed \$3100.00; and

BE IT FURTHER RESOLVED that the cost thereof is a proper charge to Account # H 7182 409 055 45.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (147-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that Resolution No. 87-1998, dated January 13, 1998, authorizing Karl Kirchner to prepare a preliminary appraisal on Map 6, Block A, Lot 8 (Alan Yassky), is hereby amended to authorize that William R. Beckmann of Beckmann Appraisals, Inc. prepare such preliminary appraisal in lieu of Karl Kirchner.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (148-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, to amend Town Board Resolution 7 (1998) that the following depository is hereby designated for funds to be deposited by the Supervisor, Town Clerk, Receiver of Taxes, Town Justices, Building Inspector, Planning and Comptroller:

M & T BANK
135 Main St.
Nyack, NY 10960

On roll call the vote was as follows:

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

RESOLUTION NO. (149-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board, Town of Clarkstown, was desirous to correct an adverse flooding condition to residences #41 and #43 on Cranford Drive, New City, New York, and

WHEREAS, the Town Board, Town of Clarkstown, by resolution No. 679-1996, authorized Cal Mart Construction, Inc. to perform the necessary improvements to the affected residences on Cranford Drive for a total cost not to exceed \$276,000.00, and

WHEREAS, additional work, totaling \$2,961.36, to one (1) of the affected residences was necessary as a result of the nature of the project.

NOW THEREFORE, be it

RESOLVED, that Town Board resolution No. 679-1996 is hereby amended to reflect the additional cost of \$2,961.36, and be it

FURTHER RESOLVED that the total cost of the project shall not exceed \$278,961.36 and shall be a proper charge to account H 1994 409 0 14 22.

On roll call the vote was as follows:

Councilman MaloneyYes
Councilman MandiaYes
Councilman ProfennaYes
Councilwoman SmithYes
Supervisor Holbrook.Yes

RESOLUTION NO. (150-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Resolution No. 966-1997, which authorized the change of the name of the right-of-way along Map 114, Block A, Lot 11.3 from Fersch Lane to Victoria Lane, Congers, is hereby rescinded, so that the name Fersch Lane shall remain, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Dispatcher Karl Muller, CPD E-911 Coordinator.

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (151-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, KOZMA ASSOCIATES CONSULTING ENGINEERS, P.C. v. ROY F. WESTON, INC., ROY F. WESTON OF NEW YORK, INC., and THE TOWN OF CLARKSTOWN;

NOW, THEREFORE, be it

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

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (152-1998)

Co. Smith offered and Co. Profenna seconded

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled, CHABAD SYNAGOGUE OF NEW CITY v. RUDOLPH J. YACYSHYN, Chairman, WILLIAM NEST, RICHARD J. PARIS, HAROLD SCHWEITZER, JOHN J. CAIN, GILBERT J. HEIM, JR., and NORMA TULLO, constituting THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN, and THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN;

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RESOLUTION NO. (152-1998) Continued

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. (153-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #9A-1998
 PRINTING OF SPRING/SUMMER PARKS & RECREATION BROCHURE

is hereby partially awarded to:

DODGE GRAPHICS PRESS, INC.
 1501 Broad Street
 Utica, NY 13501
 PRINCIPALS: MARIO MANNELLA
 MARK MANNELLA
 CYNTHIA MANNELLA-NICKEL

as per their low bid quote as follows:

Two (2) color brochure - 31,000 copies	@	\$282.50/M - \$8,859.98
Additional four (4) pages	@	41.87 - 1,297.97
Additional half-tones	@	10.00/each

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. (154-1998)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that based upon the recommendation of the Assistant

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RESOLUTION NO. (154-1998) Continued

Superintendent of Recreation & Parks

BID #9B-1998

PRINTING OF FALL/WINTER RECREATION & PARKS BROCHURE

is hereby partially awarded to:

COURIER PRINTING CORP.
138 Front Street
Deposit, NY 13754
PRINCIPAL: HILTON EVANS

as per their low bid quote as follows:

Two (2) color brochure - 31,000 copies	@	\$5,785.00
Additional Four (4) Pages	@	1,540.00
Additional Half Tones	@	10.00 Each

and be it

FURTHER RESOLVED, that said award is subject to the receipt of a Performance Bond in the amount of 15% of their proposed job cost.

On roll call the vote was as follows:

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

RESOLUTION NO. (155-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #23-1998

TRAFFIC SIGNAL INSTALLATION AT
MIDDLETOWN ROAD & LUDVIGH ROAD, NANUET

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 6, 1998 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 HolbrookYes

RESOLUTION NO. (156-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #24-1998
STORAGE AND DELIVERY OF TOWN VOTING MACHINES

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 12, 1998 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 HolbrookYes

RESOLUTION NO. (157-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #25-1998
ICE CREAM FOR TOWN 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 16, 1998 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 HolbrookYes

RESOLUTION NO. (158-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #26-1998
FOOD PROVISIONS FOR TOWN 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 13, 1998 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. (159-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #27-1998
COLLYER AVENUE SIDEWALKS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 AM on date to be determined 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.

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RESOLUTION NO. (159-1998) Continued

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. (160-1998)

Co. Profenna offered and Co. Maloney seconded

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

BID #28-1998
CUL-DE-SAC MAINTENANCE & IMPROVEMENTS

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by date and time to be determined 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. (161-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby authorizes payment to Larry Lewis, 40 Lowell Drive, New City, New York, for half the cost of driveway work performed on his property as per the proposal dated October 8, 1997, because of work done on his property by the Town, and be it

FURTHER RESOLVED, that the amount to be paid to Mr. Lewis is \$750 and shall be a proper charge to account # H 7182 409 055 38.

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. (162-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has collected \$329.50 from Activity Night at Street Community Center and \$474.64 from "The Cafe at Central Nyack Community Center", and be it

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RESOLUTION NO. (162-1998) Continued

THEREFORE, RESOLVED, to increase Revenue Account #01-002001 (Park and Recreation charges) and Appropriation Account #7141-329 (Recreation Supplies) by \$804.14.

On roll call the vote was as follows:

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

RESOLUTION NO. (163-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that Resolution #128-1997 adopted on February 11, 1997 is hereby amended to included:

Authorization for the Town Comptroller to transfer an additional \$40,000 from Money in Lieu of Land to parklands and Improvements account for various projects.

On roll call the vote was as follows:

Councilman MaloneyYes
Councilman MandiaYes
Councilman ProfennaYes
Councilwoman SmithYes
Supervisor Holbrook.Yes

RESOLUTION NO. (164-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, the Town Board of the Town of Clarkstown is the Board of Trustees of the United Brotherhood of Carpenters & Joiners, Local 964 Housing Development Fund, Inc., known as the Middlewood Senior Citizens, and

WHEREAS, the Middlewood Senior Citizens Complex has a proposed increase in rents due to:

- | | |
|---|-------------|
| 1. Concrete Work | \$12,530.00 |
| 2. Re-Pave Parking Lot | 71,000.00 |
| 3. Appliance Replacement
(Stoves, Refrigerators, AC Units) | 55,000.00 |

NOW, THEREFORE, be it authorized that (1) the President of the Board hereby is empowered to issue a Notice of Intention to Submit a Request to HUD for Approval of an Increase in Maximum Permissible Rents, and (2) Such request shall be forwarded to HUD on February 11, 1998.

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RESOLUTION NO. (164-1998) 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. (165-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, as a condition to the approval of the final map with regard to a subdivision/site known as GILCHREST PROPERTY, the Planning Board of the Town of Clarkstown requested a deed for road widening purposes along Gilchrest Road, Congers, New York;

NOW, THEREFORE, be it

RESOLVED, that upon the recommendation of the Director of Environmental Control of the Town of Clarkstown, deed dated January 14, 1998 from Orange and Rockland Utilities, Inc. to the Town of Clarkstown, gratuitously conveying a strip of land along Gilchrest Road, Congers, 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. (166-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, PRENTICE-HALL, INC. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 51, Block A, Lot 23, for the year(s) 1993/94, 1994/95, 1995/96, 1996/97 and 1997/98, 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.

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RESOLUTION NO. (166-1998) Continued

On roll call the vote was as follows:

- Councilman Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor HolbrookYes

RESOLUTION NO. (167-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, PASCACK INDUSTRIES has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as Map 6, Block A, Lot 2, for the year(s) 1993/94, 1996/97 and 1997/98, 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 HolbrookYes

RESOLUTION NO. (168-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #97075 Data Entry Operator I which contains the name of Dawn Massa,

Now, therefore, be it

RESOLVED, that Dawn Massa, 4 Germonds Road, New City, New York, is hereby appointed to the (permanent) position of Data Entry Operator I - Assessor's Office - at the current salary of \$22,291., effective February 24, 1998.

On roll call the vote was as follows:

- Councilman MaloneyYes
- Councilman MandiaYes
- Councilman ProfennaYes
- Councilwoman SmithYes
- Supervisor Holbrook.....Yes

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RESOLUTION NO. (169-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #97075 Data Entry Operator I which contains the name of Joanne Castaldo,

NOW, THEREFORE, be it

RESOLVED, that Joanne Castaldo, 10 Eldor Avenue, New City, New York, is hereby appointed to the (contingent permanent) position of Data Entry Operator I - Town Clerk's Office - at the current salary of \$22,291., effective February 24, 1998.

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. (170-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Gregory Barra has requested a leave of absence, without pay, and

WHEREAS, Article XIX, Section I 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 Gregory Barra, 14 Chauncy Street, Congers, New York - Automotive Mechanic I - Town Garage - is hereby granted a leave of absence - without pay - effective and retroactive to February 2, 1998 to August 2, 1998.

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. (171-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that William L. Carton, 12 Pine Avenue, Congers, New York, is hereby appointed to the position of (temporary) Automotive Mechanic I - Town Garage - at the current salary of \$31,491., effective pending completion of a satisfactory physical examination.

RESOLUTION NO. (171-1998) 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. (172-1998)

Co. Maloney offered and Co. Mandia seconded

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

“ROUTE 59 CORRIDOR (FROM SPRING VALLEY VILLAGE BOUNDARY ON THE WEST TO THE PALISADES INTERSTATE PARKWAY ON THE EAST) - SPECIAL PERMIT FOR CONVERSIONS OF EXISTING SINGLE FAMILY RESIDENCES”

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 20 of the Municipal Home Rule Law, be had at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on March 24, 1998 at 8:05 P.M., or as soon thereafter as possible, relative to such proposed local law, and be it

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

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

FURTHER RESOLVED, that the proposed local law be referred to the Clarkstown Planning Board for its recommendation and report.

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. (173-1998)

Co. Profenna offered and Co. Mandia seconded

WHEREAS, in order to assure proper ingress and egress to and from the Palisades Center Mall site with limited impact on adjacent or surrounding

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RESOLUTION NO. (173-1998) Continued

NOW, THEREFORE, be it

RESOLVED, that a "No Left Turn" sign is hereby authorized to be installed at the southeast corner of the Palisades Center ring road at the intersection of Snake Hill Road, West Nyack.

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. (174-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, a vehicular accident on July 11, 1997, resulted in severe damage to the existing stone parapet wall on the west side of the Brookside Avenue culvert, Valley Cottage, New York, and

WHEREAS, the Director of the Department of Environmental Control was authorized to hire M.G. McLaren, P.C. Consulting Engineers , 100 Snake Hill Road, West Nyack, New York to inspect and evaluate the structural integrity of the culvert as a result of the accident ,and

WHEREAS, the report concluded that no structural damage occurred as a result of the accident, with the exception of the damaged parapet wall, and recommended that guide rail be installed in place of the parapet wall, and

WHEREAS, the Department of Environmental has solicited proposals from qualified contractors for the installation of the guide rail and Yaboo Fence Company, Inc., 10 High Street, West Nyack, New York submitted the lowest proposal.

NOW THEREFORE, be it

RESOLVED, that the interest of the health, safety and welfare of the general public, the Director of the Department of Environmental Control is hereby authorized to hire Yaboo Fence Company, Inc., 10 High Street, West Nyack, New York, in accordance with their proposal dated January 22, 1998, to install the required guide rail, and be it

FURTHER RESOLVED that the total cost of the project shall not exceed \$5,835.00 and shall be a proper charge to account H 7182 409 0 55 49.

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. (175-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby directs the Clarkstown Planning Board to review the Pelham West Subdivision with the view to require the installation of screening along Briar Road, Nanuet, by the owner of the subdivision.

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. (176-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, a grade reallocation request has been made for the following title:

Street Construction Inspector from Grade 25 to Grade 27, and

WHEREAS, the Town Board has reviewed this request;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Clarkstown denies the above request pursuant to the Collective Bargaining Agreement of the Clarkstown Unit of the C.S.E.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. (177-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the *Town of Clarkstown*, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract herewith;

RESOLUTION NO. (177-1998) Continued

NOW, THEREFORE, BE IT RESOLVED by the *Town Board of the Town of Clarkstown*

- 1. That, the *Director, Department of Environmental Control*, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Article 56, Title 3. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
- 2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
- 3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance Payments;
- 4. That this Resolution 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. (178-1998)

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:

B & Z DEVELOPMENT, INC. c/b/a Ben-Zvy Enterprises P.O. Box 658 Monsey, New York 10952	PAUL BITTS CO., INC. 9 Germonds Road New City, New York 10956
ROBERT MC GANNON t/a/ BOB MC GANNON EXCAVATING 85A North Central Highway Garnerville, New York 10923	PARKER EXCAVATING & SEPTIC, INC. 18 Harth Drive New Windsor, New York 12553

RESOLVED, that the following Certificates of Registration be issued:

Continued on Next Page

RESOLUTION NO. (178-1998) Continued

- No. 98-7 B & Z Development, Inc.
- No. 98-13 Paul Bitts Co., Inc.
- No. 98-18 Robert McGannon
t/a Bob McGannon Excavating
- No. 98-21 Parker Excavating & Septic, 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. (179-1998)

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:

J & T INGALLS,
D/B/A John Ingalls
P. O. Box 224
Blauvelt, New York 10903

RESOLVED, that the following Certificate of Registration be issued:

No. 98-12 J & T INGALLS

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. (180-1998)

Co. Maloney 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 1998 to:

RESOLUTION NO. (180-1998) Continued

Home Aides of Rockland	\$ 1,400.00
Camp Venture	5,000.00
Rockland Community College	3,600.00
Senior Citizens Club	
Nanuet High School	2,500.00
Project Graduation 1998	

FURTHER RESOLVED, that the total amount of \$12,500.00 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 1998 and are to be charged against Account # 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. (181-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with HTE PUBLIC SAFETY-ILLINOIS, INC., in a form satisfactory to the Town Attorney, to provide licensed data programs, maintenance and any related services to the Town of Clarkstown Police Department, such agreement to commence on January 1, 1998 and terminate on December 31, 1998, and be it

FURTHER RESOLVED, that the fee for such services shall not exceed \$19,100.00, and shall be charged to Account No. A-3120-422, and be it

FURTHER RESOLVED, that this Resolution is made retroactive to January 1, 1998.

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. (182-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Nicholas A. Longo, Assessor, and Cathy Conklin, Supervising Real

RESOLUTION NO. (182-1998) Continued

Property Appraiser for the Town of Clarkstown, have recommended that an appraisal of the Palisades Center Property be prepared as soon as possible in order to incorporate the information in the 1998 tentative assessment roll which will be published on May 1, 1998, and

WHEREAS, it has been further recommended that the Albert Valuation Group, Inc. prepare said appraisal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Albert Valuation Group, Inc., 100 White Plains Road, Tarrytown, New York, to prepare an appraisal of the Palisades Center Property, West Nyack, New York, in a form approved by the Town Attorney, which property is designated on the Clarkstown Tax Map as Map 89, Block A, Lot 4, and be it

FURTHER RESOLVED, that the fee for said appraisal shall be \$28,000.00 payable \$14,000 when the agreement is signed by both parties as an advance retainer and the balance of \$14,000 when they complete the work and deliver the appraisal report, and be it

FURTHER RESOLVED, that the fee for continued consulting services, as necessary, shall be billed hourly pursuant to agreement, which fee shall not exceed \$20,000.00.

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. (183-1998)

Co. Maloney offered and Co. Mandia seconded

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

BID#59-1997
STORAGE BUILDING AT CONGERS LAKE MEMORIAL PARK

is hereby partially awarded as follows:

GENERAL CONSTRUCTION, awarded to:

Lorencin Contracting Corp.
17 Schriever Lane
New City, NY 10956
Principal: Lorraine DiNardi

at their proposed project cost \$94,700

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RESOLUTION NO. (183-1998) Continued

ELECTRICAL, awarded to:

C.G.R. Electric Corp.
d/b/a Eagle Electric
110 West Crooked Hill Rd.
Pearl River, N.Y. 10965

Principals: Sheila Gray, Terry Ratnecat
at their proposed project cost of \$11,790

and be it

RESOLVED, that said awards are subject to the receipt of the following items by the Director of Purchasing:

- a) Performance Bond - 100%
- b) Labor & Materials Payment Bond - 100%
- c) Certificate of Contractors General Liability, Auto Liability, and property damage coverage. The Town should be named as a co-insured on liability policies
- d) Certificate of Workers Compensation and Worker Disability Insurance coverage and be it

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

**BID #59A-1997
STORAGE BUILDING AT CONGERS LAKE MEMORIAL PARK
PLUMBING AND HVAC ONLY**

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00AM on march 19, 1998 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

Town Board adjourned the meeting in honor of Charles Schwep who passed away last week.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Mandia, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 11:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/10/98

8:30 P.M.

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

RE: Rockland County Consortium for Community Development Funds

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 asked if there were any questions or comments from the public?

Appearance: John Murphy
President of Camp Venture

Camp Venture headquarters are on Convent Road, Nanuet. They have been there for over twenty years and enjoy an excellent relationship with their neighbors. They have appealed to the Town Board for Community Development Block Grant funding for two purposes. One is to establish a residence for school age children who are both physically and mentally disabled and cannot be cared for in their own home. They require twenty-four hour residential care. They propose, on land that they own or will own, to put a resident for six school age children most of whom will not be ambulatory. If not placed here, they would be placed by the State in a State facility far from their parents and siblings. They also propose to deal with a new phenomena that is unprecedented in the history of the United States, mentally retarded adults who are becoming victims of Alzheimer's. Years ago through neglect and because of the state of the art of medicine, most mentally retarded people did not live into their senior years. This has been changed with the new enlightened society. They are living longer and becoming victims of Alzheimer's. They propose to renovate their existing facility to create a separate wing for the older mentally retarded residents who have become victims of Alzheimer's, to make it environmentally friendly for them and to build a wing which will enable them to spend their day in the facility. As victims of Alzheimer's, they do not adjust to the phenomena of leaving their residence during the day. We are appealing for funding for a period of time that extends over three years to be matched in some part by funding from the New York State Office of Mental Retardation and by their own fund raising. They are dealing with the young who cannot be cared for by their parents because of the severity of the their multiple handicaps. They are dealing with the aged who have another layer of disability through the phenomena of Alzheimer's.

Supervisor Holbrook stated that they had a meeting with the head of Community Development, Mr. Abate. This project was discussed. In the ranking systems that they have for Community Development Funds, this particular project would rank exceptionally high because of the people who are being served by it. The fact that Venture is coming to Clarkstown is because Venture is in Clarkstown. One of the problems we have is that it is tough for us to qualify for some of these funds. Mr. Abate could not guarantee that this would be approved, he said that it would rank exceptionally high.

Co. Mandia asked if we were requesting Community Development Funds from the State or Federal Government to be channeled through us to Venture. Supervisor replied, yes. Co. Mandia asked, if this was a matter of sharing it with other non-profit.

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organizations or specific funding for Venture. Mr. Murphy replied that this appropriation would be just for Camp Venture. Supervisor stated that if the Town Board wanted, we could recommend this to the Consortium. One of the things that the Federal Government wants is for Rockland County to spend the money. The problem in the past has been that at a lot of these projects have a zillion projects and nobody ever spent the money. In this particular case, they are looking for a larger project to allocate so that these things can be done. The commitment has been made by Venture and there will be construction on this project by the end of this year. Mr. Murphy stated that they are beginning to spend their own money. They have purchased additional land from the Sisters of Charity. They have purchased two acres and are putting together a four acre plot for sufficient square footage. The Alzheimer's victims are here today. The law requires them to leave their residents everyday and send them somewhere for some type of day programming. This is proving traumatic for our Alzheimer's victims. As soon as they are out of a familiar environment, they become highly terrorized and traumatized. They are proceeding and asking for help. With the children, that need is coming to us from the parents. Today if you are unfortunate enough to have a child severely handicapped that you can't physically care for and you appeal to your local school district or to the State Government, they are liable to send you four counties away. The children that they propose to care for are your children and they propose to give them residential services and let them continue to live in the community with their parents and go to your local school district which will be a savings.

Supervisor stated that Norman Goldberg, Member of Citizen Advisory Committee, is aware of this project. We could adopt a resolution that would be forwarded to Mr. Abate at the County Consortium encouraging the Consortium to approve this project. Mr. Murphy expressed his gratitude to the Town for allocating their share of the block grant money and for the cooperation the Town has given to Camp Venture over the years. We have made our headquarters and home in your Town for twenty years. You have the honor of approving the construction of the first community residence in the State of New York built for such a purpose.

Co. Maloney stated that we are beginning to see more of Alzheimer's. This is a problem of all segments of society, but more difficult when it affects someone who is already developmentally disabled.

Appearance: John Lodico
New City

He commended the Board for moving on this resolution.

There being no one further wishing to be heard, on motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed: RESOLUTION ADOPTED, time 8:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

RESOLUTION NO. (140-1998) ADOPTED

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/10/98

8:45 P.M.

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

RE: Petition for Special Permit - Star Enterprise (32-A-2.01)

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

Town Attorney stated that the County Planning Board approves. There is no environmental impact. The Town Planning Board okays subject to covenants..

Supervisor asked if the applicant was present.

Appearance: Kevin O'Brien, Esq.
Mineola, New York
Attorney for applicant

Mr. O'Brien was impressed with the ceremony for the Town Officers and said it is nice to see this kind of support by the Town Board.

This application involves the existing Texaco Service Station which is located on Route 303, across from the new mall and near the Thruway. Present with Mr. O'Brien is Mr. Eric Steinfelt who will answer any questions of a technical nature. Mr. Steinfelt is a licensed professional engineer from Bohler Engineering. Bohler Engineering has done the site and design work which is before the Board. Also present is William Ryan, Representative for Star Enterprise. Essentially, what we are seeking is a Special Permit to continue the use of the gasoline service station at this location. As indicated, it is an existing three bay service station facility. It came to our attention that a Special Permit was required when we were proceeding before the TAC review. At that time it was indicated that we would have to proceed to the Planning Board which we have done for preliminary approval, then proceed to the Town Board for a Special Permit, ultimately to the Zoning Board of Appeals and back to the Planning Board. The service station has been in existence for over thirty years according to the records that we have reviewed. The area of the service station is approximately 20,000 square feet. We are proposing to raze, rebuild and basically retrofit the existing service station. All the proposed improvements would meet or exceed the State, Local and Federal regulations. One of the proposed improvements would be a canopy over the newly improved pump islands. As far as environmental concerns, the Federal EPA has made recommendations with respect to bulk storage where they have recommended that there be some sort of covering over fueling positions and fueling islands. Mr. O'Brien submitted some photographs depicting the surrounding area as well as the service station depicting Route 303, the new mall and the intersection. One of the things they are blessed with at this location is that there is a signalized intersection at the service station. They also have to the rear of the property, business zoned property which is utilized for a piano manufacturing facility. To the west and down 303, there are another service stations. One is a Mobile Station and a Shell Station improved with canopies. Some have a similar mart type of facility and some are repair oriented service stations. To the east, is the Thruway. The service station is just shy of the 20,000 square foot requirement. We are proposing to eliminate the repair oriented aspect of the facility. There will be no automobile repairs. The facility would be operated as a food mart. We feel it would greatly improve the facility and would not further encumber any municipal services. Mr. O'Brien asked if there were any questions.

Present: George Pejoves
59 No. Greenbush Road
West Nyack, NY

If there was not a gas station there right now in the existing parcel, what is the minimum size they can get? Is this a Special Permit they are asking for.

Supervisor stated that this is a Special Permit for this particular issue and asked Mr. Yacyshyn to explain. Mr. Yacyshyn said that in all instances any service stations of this nature in the Town of Clarkstown require a Special Permit in addition to the regular site plan review. Mr. Pejoves asked if they were asking for a certain percentage above the minimum. Mr. Yacyshyn said there would be an increase. Mr. Pejoves asked how much of an expansion are they asking for above the minimum requirement. Supervisor asked how many pumps were there now. Eric Steinfeld stated that he prepared the site plan that is before the Board. They have made a previous presentation before the TAC. In this jurisdiction, anything we do to alter this facility, will require a Special Permit. If you are asking us basically to reconcile what we are asking for this evening relative to the bulk criteria, that is a very, very detailed analysis. Relative to the building size that exists there now, the size of the building that we are proposing is probably a little bit smaller than the building that exists right now. From a gas operation stand point, there are two dispensers there now. We are proposing six dispensers. The merits of that increase are set forth in our application basically to get rid of the congestion and alleviate the traffic flow that currently exists. The canopy facility as well is part of this application.

Mr. Pejoves asked if you had nothing there right now, how many pumps would you be allowed to put in normally? You have two there right now and you want six. Is three the allowed number of pumps? Is there any kind regulations attached to this. Mr. Steinfeld said he did not believe there were any regulations. There are some limitations based on the Zone Code relative to set backs and things of that nature which is bulk criteria. That is established in my site plan as well. We are requesting some deviations from those requirements. Relative to the actual yield of this property as it relates to the number of gasoline fuel islands, there is no limitation that I am aware of. Mr. Pejoves asked if they were asking for an exception to the bulk allowed.

Supervisor stated that it is a multi-facet application. They have to come before the Town Board for a Special Permit to get permission to do this, then they also have to go before the Zoning Board of Appeals for some variances relative to yard set backs. Mr. Pejoves asked what point were they at in the environmental impact study. Mr. Jacobson stated there is no environmental impact. Mr. Pejoves stated that one of the concerns he shares with his neighbors is the fact that Alaska has its northern lights, West Nyack now has its western lights, that being the Palisades Center Mall. There is a glow to the west of us that we see at night. We use to enjoy somewhat of a sunset. It appears that what we are doing again is trying to fit a 44 regular in a 38 suit. That is what basically happened at Pyramid. You have too much building for the size of the lot. You have made allowances for them. Again, we might be trying to fit something in here that may be an exception. Obviously, that is why you are here to grant exceptions and define the code and the zoning law. Mr. Pejoves nearly has had two head on collisions in and around that area because of the building going on. Do you want to grow to accommodate more cars and sell more gasoline? Mr. O'Brien said that the facility is over thirty years old and we would like to retrofit and bring it up to today's standards. From an image stand point, the technology is better. We would like to up grade the facility. As Mr. Steinfeld indicated, it is difficult to get the cars in and out. This way it would promote easier on site traffic circulation as well as off site circulation.

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Mr. Pejoves asked, by increasing your pumps from two to six, does that promote more congestion or how does that create better circulation? Mr. Steinfeld said that effectively what it does is it reduces the amount of stack that exists on the site. Stacking is when you pull into a site and there are two cars ahead of you and you have to wait until those two cars have gone through their transaction before you can access the fueling dispenser. What we are proposing here is actually more convenience for the customer. Instead of him waiting for an open fueling position, ideally through the creation of additional fueling, he will be able to access one that is empty. Whether or not we are doing this to increase the amount of volume, of course, we hope to. We are spending a lot of money on landscaping and new lighting. All of which is going to benefit you if you are concerned about the aesthetics of this facility. We are proposing substantially more landscaping than what exists there now. We are proposing new driveway access points, new asphalt, and a brand new building. Basically, a state of the art facility. The expenditure forecasted is well in excess of one million dollars. The idea is to dress this up from an aesthetic stand point. To answer your question relative to traffic. We are doing this primarily to take care of our existing customers. Of course, we hope and we anticipate a little bit of a pick up as far as adding more customers. We are proposing nothing dramatically different than what Shell did five years ago and I represented Shell at that time, in what Mobil has done, relatively recently as well. It is very consistent with the character of the neighborhood and its to the betterment of the neighborhood as well. Mr. Pejoves asked if Shell went from two pumps to six pumps when they revamped. Mr. O'Brien replied, there was an increase in the amount of fueling dispensers. I am not sure as to the actual number. Mr. Pejoves asked what are you doing with regard to the neighbors behind with this increased business. Because of the Palisades Mall, you are expecting more cars. Is there any type of barriers or cleaning? We have a creek that runs along there. It is a catch basin from the northern part of the property that goes behind many properties. I am in the process of submitting photographs to the Town Board. That area is being dumped on over and over. He has cleaned out the area in his back yard several times. There is a lot of dumping going on by the gas stations that are there now. What have you done or are planning to do to clean up or off set some of the problems that our neighbors are going to have because of increased traffic and smog.

Mr. Steinfeld stated that this project is really constrained to 100 feet off Route 303. If you are familiar with the facility, there is a fence that exists there now. That is where our property ends. If you reside to the rear, there are two pieces of property in between us. The Police barracks has somewhat of a flag configuration that comes back around us for an additional 50 to 75 feet. There is several hundred more feet where the piano building is located. There is some litter back there. I don't believe that has anything to do with our operation at all. We don't own the property. We are not proposing to do anything on someone else's property. Mr. Pejoves asked if the height of the canopy was going to be consistent with the other ones that are there now. The answer was yes.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilwoman Smith, the Public Hearing was declared closed, DECISION RESERVED, time: 9:05 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

2/10/98

9:05 P.M.

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

RE: Petition for Special Permit - Hattenburg Development Co. & SL Realty Co.

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.

Town Attorney stated that the Rockland County Planning Board would like the opportunity to review the site plan for any impacts on Route 59 if there are any changes in the future. The Town Planning Board recommends subject to a petition. SEQRA shows no environmental impact.

Appearance: Donald Tracy, Esq.
Tracy, Bertolino & Edwards
Attorney for Applicant

Mr. Tracy said that this application has been before the Board before and in connection therewith, there was a wealth of material to be examined concerning neighbors concerns about this Special Permit. At the present time, the matter is in litigation and is held and adjourned until the outcome of this Board's determination to re-hear it. In connection with this application for a parcel of land zoned RS on the south side of Route 59 in Nanuet, formerly known as Funtasia, one hundred and two notices were mailed out to the adjoining neighbors. The notice had exhibits in it. Mr. Tracy provided the Town Board with the exhibits and stated that the artist's rendering is not accurate because there is an easement at the entrance to this property on Old Nyack Turnpike which curves off to the left and enters into the office park. The property itself consists of approximately two plus acres of RS land. The Town Planning Board and Rockland County Planning Board consultant recommended approval. The property has access from New York State Route 59. There was considerable discussion as to whether or not there should be access from Old Nyack Turnpike. There are basically three property owners in the very near vicinity opposite this property who, if anyone was going to be impacted, would be impacted. Mr. Tracy had the advantage of living in the neighborhood for seventeen years. He knows most if not all the people there. He established a dialogue with Marti and Larry Steve who live across the way, Anthony Camilli and Rickie and Bill Cunningham. Mr. Tracy said that each one of them, after discussion and a revelation of the covenants that we would enter into, faxed Mr. Tracy communications indicating they have no objection to the warehouse as a neighbor. Their main concern would be exhaust fumes from idling trucks or autos and that older trees along Old Nyack Turnpike would remain. Mrs. Steve suggested that some lighting be installed, but I call your attention to the fact that many of the complaints are site plan issues. She is also concerned that feral cats living around the premises not be hurt during construction. Mr. Camilli supports the Hattenburg Development to convert the site to a mini warehouse with the following restrictive covenants: No entrance from Old Nyack Turnpike, elimination of the east driveway completely, continue the sidewalk from All-Transmission, paint or reservice the side of the building (Mr. Camilli would like tan or light gray); screening; shrubbery; no entry after 8:p.m.; no tractor trailers allowed and no idling of motors. Mr. & Mrs. Cunningham do not object to the use of the former Funtasia site for the mini warehouse proposal by the Hattenburg Development Co. as long as the restrictive covenants listed in your letter of 2/4/98 are placed on the property, etc. They

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are most concerned about item #F regarding rules and regulations to prevent vehicles idling on this property because of pollution, etc. Mr. Tracy submitted into evidence these communications. Mr. Tracy exhibited an exhibit entitled, "You Asked, We Listened". There is no tractor trailer entry on to the property. Egress only onto Old Nyack Turnpike, no entrance. Elimination of the eastern driveway to close off an additional driveway exiting on to Old Nyack Turnpike. Submission to the Architectural & Landscape Commission for extensive screening along Old Nyack Turnpike. No exterior addition or enlargement of the existing building. Sole exterior work to be done will be of a cosmetic nature only. This is not in the nature of a covenant, but it is a representation which Mr. Hattenburg has authorized. Strict rules imposed to prevent vehicles idling and noise generation. Relocation of air conditioners from Old Nyack Turnpike location which was requested by Mrs. Cunningham. Mr. Tracy stated that they have certain criteria for Special Permit Applications which are general to all Special Permits throughout the Town. That is, for property to be properly located with respect to fire and police protection. It does not cause a point of determination or hazards which is more significant than any use permitted by right. That it not impact on and reduce property values. One of the exhibits given to the Town Board and mailed to all the neighbors is a use table from the RS Zone. That use table lists the uses that are permitted by right in that zone. Mr. Tracy introduced Mr. Lombardi, a Traffic Expert to testify concerning an analysis of those uses permitted by right as juxtaposed to the use of a mini storage facility.

Appearance: Mr. David Lombardi
Engineer

Mr. Lombardi works for John Mark Consulting which has been in existence for eighteen years. They provide a broad range of services which includes civil engineering, site planning and transportation. They have prepared hundreds of traffic studies and traffic impact statements. His firm is very familiar with mini storage facilities similar to this one. They have studied the operations of a self storage facility in Portchester, New York and have obtained approvals for identical facilities in Stamford, Connecticut and in Greenberg, New York which is presently under construction. He prepared a table which he submitted it to the Town Board. He prepared this table from the traffic generated by a seventy-seven thousand, five hundred square foot mini warehouse storage facility and compared it to uses which are permitted in the RS district for building in the same area. For instance, a general office building, a shopping center, a super market, a furniture store and an elementary school. The volumes for a mini warehouse facility are very much lower than the other more intensive uses. These volumes for a mini warehouse facility are based upon rates and equations in the Institutes of Transportation Engineers publication Trip Generation. The volumes anticipated from this facility will most likely be less than this. His firm conducted a count in 1996 of a self service storage facility which was in excess of one hundred thousand square feet located in Portchester, New York which resulted in traffic volumes which were lower than these here indicated by the publication Trip Generation for a seventy-seven thousand, five hundred square foot mini warehouse.

Mr. Tracy asked Mr. Lombardi if he could state with positivity, in view of the fact, that Trip Generation is much less for a mini warehouse, so is pollution and the type of situation which is associated with heavy traffic. Mr. Lombardi stated that Mr. Tracy is correct. He stated that the majority of the vehicles that will be utilized in this facility will be passenger vehicles. There may be some smaller trucks, but the majority will be passenger vehicles. The volumes for peak AM hour and peak PM hour include the number of vehicles entering and exiting. Mr. Tracy asked, if there was any use other than the cemetery that really has less traffic than a mini warehouse facility. Mr. Lombardi replied, that in all the traffic studies he worked on this is one of the lowest traffic

generators for this time of day. Mr. Tracy said that the hours of operation have previously been made known. They are working hours, eight to six, Saturday it is ten to five and Sunday it is eleven to four. Those hours are hours which will not create the type of disturbance in the neighborhood that prior uses do. Based upon the accommodations that Mr. Hattenburg is willing to make, based upon the testimony of our traffic expert, the opinions of the County Highway Department, the County Planning Board and the Town Planning Board as well as the Town consultant, there is not a single use that you could put on this site other than let it lay fallow that could be less intrusive upon the neighborhood. These covenants will become part of the zone change and will run with the land as what essentially is a negative easement.

Appearance: Martin Bernstein
New City

He knows the site pretty well. Through the years they have attempted to sell this site for some use. He asked what is meant by a mini warehouse. Mr. Tracy stated that it is a series of small storage spaces which are leased generally on a temporary basis for the purpose of storage. Mr. Bernstein thinks that it is probably the only use for this particular site.

Appearance: John Gladwell
2 Judith Street, Nanuet

His house is on the corner of Judith Street and Old Nyack Turnpike. The first thing he sees when he walks out of his doorway is the former Funtasia. He supports the mini warehouse provided all the covenants are met.

Appearance: Mike Weinberg
All-Transmissions, Nanuet

He is one of the owners of All-Transmissions which is a contiguous property to this development. In the past, he played tennis and racket ball in this facility. The facility at that time was opened until eleven and twelve at night. When it became Funtasia, they had a tremendous upsurge in parking problems and a tremendous crime problem with cars being broken into due to the various groups of people coming out of Funtasia. As a neighbor of this property, he is all for the mini warehouse and feels the hours of operation are very good, and the traffic impact will be minimal. The mother of the feral cats met her demise several weeks ago due to traffic. We have been feeding these animals for three years.

Appearance: Bob Jackson
Nanuet

This item came before us a few months back. The neighborhood was opposed. He is not opposed to a mini storage. One of the points that were brought up last time was the encroachment of Route 59 into the neighborhood. One of the items last time was that there would be no traffic in or out of that driveway that comes on to Old Nyack Turnpike. Mr. Tracy pointed out that there is an easement into the development where there is professional office space. If you go by there now, there is a chain across the Funtasia part. The parking lot which can be maintained and the easement would still be opened into this area. If you leave that open to public traffic, they are going to have an access on Route 59. If I am coming down Route 59 and it is backed up a little, I am not going to turn on Old Turnpike Way. I can turn through here and come out onto Old Nyack Turnpike. A few people sitting in the audience are under the impression that the

driveway will be closed off. From what I am hearing, it is not going to be closed off. Co. Mandia said that he understood that the entrance can only be accessed from Route 59. You can only exit on to West Nyack Road; you cannot enter from there. Supervisor asked if the exit onto Old Nyack Turnpike could be constructed in such a way that it would only be an exit. Mr. Jackson said that if you pull into this driveway and go in fifteen feet, you make a left into the office complex. If you continue straight off to the right, you are in Funtasia's front yard. The drawing that they gave you does not show it correctly. Eventually that driveway comes out onto Old Nyack Turnpike. Supervisor asked if he was talking about closing off something internally. Mr. Jackson said, a little further in. This would kill all access. They could put a gate there. This would prevent traffic coming in and out onto Old Nyack Turnpike. Supervisor asked Mr. Tracy to address this issue. Mr. Tracy stated that the Town Board is getting covenants. Any of those uses permitted by right, and we have ingress and egress off Old Nyack Turnpike. You are getting half a loaf. If another use went in that was permitted by right, there would be absolutely no power by any Board to cut off ingress and egress from Old Nyack Turnpike. Co. Maloney stated that there were a number of concerns here the last time and about four or five of them have been addressed. Supervisor asked, when the facility is closed, will it be gated? Mr. Tracy replied that the owner agrees to close off egress on to Old Nyack Turnpike. Co. Maloney stated that there could be a patrol there from time to time.

Appearance: Russell Trojan
 Nanuet

During the original Public Hearing on this issue, he submitted a letter of some conditions that he thought should be included. He is glad Mr. Tracy is including some of them. One that was left is the existing sidewalk along Old Nyack Turnpike. It should be made to meet the American Disabilities Act. If possible, extend it to opposite Frederick. Another major concern was the loading area for the mini storage. It would be preferred that the loading area be put on the north side of the building further away from the residents. He suggested a second loading area on the north end. This is a single enclosed building. Unlike most mini storage warehouse where you park near your unit or the building section and there are multiple entrances to the building, here there is only one entrance and if several people should arrive at the same time, this will create a little bit of a problem. They might benefit by having a loading facility at the north end of the building. He believes that the Planning Board recommended a condition of restricting this to two floors or two decks to insure that they don't take the full advantage of the thirty-five foot ceiling by making a third floor.

Appearance: Bill Hatch
 17 Judith Street, Nanuet

While he has no opposition to the general concept, he asked Mr. Tracy to review where they will be loading from. Mr. Tracy showed a map and explained what driveway was going to be closed off and the entrance. Mr. Hatch asked if it would cost that much more to have a gate that could control the traffic. Once a truck is finished loading, he could raise that gate to go out. This would preclude any traffic from going through at any time from Route 59. Mr. Tracy said that it would not be practical. The reason we are using a chain is for fire emergency access. Mr. Hatch asked if the present alleyway in the rear of the building would be closed off. Mr. Tracy said, completely and planted. Town Attorney asked Mr. Tracy if that was the easterly driveway. Mr. Tracy said, yes.

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Appearance: Gary Hattenburg
Hattenburg Development Co.

Mr. Hattenburg stated that they do not have a problem putting in an electronic gate at the egress of the property. We cannot put it in a spot where we cut off access to the office building. As far as putting in an egress gate, that is something we would want to have in order to control who goes in and out of our property.

Appearance: Ed Duffy
Grandview Ave., Nanuet

He has lived in this area for forty years. He resents traffic engineers coming in and comparing the traffic situation here with some place in Portchester. The traffic situation on Route 59 is peculiar to our area. There is no other area in New York State that is more traveled than the area of Nanuet. If you take into consideration that we are going to have a Home Depot and a few other stores coming in, the traffic is going to be enormous. The improvements that they have made on Route 59 will vanish into the sunset. We should seriously consider that the traffic situation will not only hit Route 59, but it will hit other roads such as Grandview which is almost like Broadway. He wants this mini warehouse stopped from coming here.

There being no one further wishing to be heard, on motion of Councilman Maloney, seconded by Councilman Mandia and unanimously adopted, the Public Hearing was declared closed, RESOLUTION NO (141-1998) ADOPTED, with covenants, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk