

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

5/12/98

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 the Town Board meeting open. Assemblage saluted the Flag.

Councilwoman Smith presented a Certificate of Award to Jonathan R. Miner of Boy Scout Troop 11 for achieving the rank of Eagle Scout. The Town Board congratulated Jonathan and his parents.

Supervisor opened the public portion of the meeting.

Appearance: Dr. Ray Joseph  
President of the New City Chamber of Commerce

Dr. Joseph spoke regarding revitalizing the entire New City Business Community. He spoke about the traffic, building potential, the parking problem, vacant stores, unoccupied office space and pedestrian movement. He requested that a hold be placed on the repaving of South Main Street until the situation can be properly assessed. Dr. Joseph's written statement is on file in the Town Clerk's Office

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RESOLUTION NO. (406 -1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of April 28, 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 Holbrook ..... Yes

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RESOLUTION NO. (407-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that the Town Board hereby schedules a Town Board Meeting for June 1, 1998.

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RESOLUTION NO. (407-1998) 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. (408-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, in accordance with the recommendation of the Department of Environmental Control, the Town of Clarkstown wishes to accept conveyance of a sewer easement concerning the Rte 9W West Sewer Construction project, and

WHEREAS, the Town Attorney recommends acceptance of said conveyance;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to accept the said permanent easement on behalf of the Town of Clarkstown, and be it

FURTHER RESOLVED, that said permanent easement is hereby ordered recorded in the Office of the Rockland County Clerk for the following property:

Map 138, Block H, Lot 19

STERNGASS  
734 Route 9W  
Valley Cottage, NY 10989

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. (409-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, properties along Hutton Avenue and Kemmer Avenue are to be developed pursuant to the RS zone, and

WHEREAS, application has been made by FB Nanuet, LLC for a proposed retail complex with access on Hutton Avenue and Kemmer Avenue for properties designated on the Clarkstown Tax Map as: Map 163, Block A, Lots 3, 4, 5, 5.01, 5.02, 5.03, 6, 7, 8, 9, 10, 11.01, 11.03, 11.04, 18, 19, 19.01, 19.02, 21 and 21.01;

RESOLUTION NO. (409-1998) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the use of Hutton Avenue and Kemmer Avenue, Nanuet, New York, for access to the proposed retail complex as described above, as provide for in Section 290-26D of the Town Code of the Town of Clarkstown.

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. (410-1998)

Co. Mandia offered and Co. Profenna seconded

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 of the Amended Petition of KELLY BERNARD and LORNA RISSIER BERNARD for the annexation of territory located in the Town of Clarkstown to the Village of Spring Valley, more specifically described on the Clarkstown Tax Map as Map 8, Block A, Lots 7, 8, 9, 10, 11, 15, 16 and 17.

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. (411-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, Shefalika Gandhi and Dorothy Paust, Clarkstown Counseling Center attend conference on Thursday, May 7, 1998 at Cornell University Medical Center on Post Traumatic Stress Disorders. Registration is free of charge. Mileage will be reimbursed.

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. (412-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, Glen Leeds, Kathleen Costello, Clarkstown Counseling Center attend conference on May 8, 1998 at Four Winds Hospital on St. John's Wort (Hypericum). Application for Depression and Anxiety Disorders. There is no charge for this conference. Mileage will be reimbursed.

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. (413-1998)

Co, Mandia offered and Co. Maloney seconded

RESOLVED, that Dorothy Poust, RN, CSW, Clarkstown Counseling Center attend conference on Thursday, May 21, 1998 at Holiday Inn, Montvale, New Jersey on Sexual Abuse. This conference has been approved by OSAS (Office of Alcoholism and Substance Abuse Services). Registration fee: \$89.00 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

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RESOLUTION NO. (414-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Adolph Milich, Jr., Building Inspector of the Town of Clarkstown, has requested outside legal representation with respect to a lawsuit pending before the Supreme Court entitled, New City Fire Engine Company No. 1 and New City Fire District v. Adolph Milich, as Building Inspector of the Town of Clarkstown, Rockland County, New York, and

WHEREAS, it is the desire of the Town of Clarkstown to avoid any allegation of conflict of interest in connection with said litigation;

NOW, THEREFORE, be it

RESOLVED, that Adolph Milich, Jr., Building Inspector, be and hereby is authorized to retain outside counsel in connection with lawsuit pending before the Supreme Court entitled, New City Fire Engine Company No. 1 and New City Fire District v. Adolph Milich, as Building Inspector of the Town of Clarkstown, Rockland County, New York, and be it

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RESOLUTION NO. (414-1998) Continued

FURTHER RESOLVED, that the legal fee for this case with the Nanuet Fire Engine Company case shall not exceed \$175.00 per hour, and the total legal fee shall not exceed \$7,500, which fee shall be paid by the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution is hereby made retroactive to April 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

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RESOLUTION NO. (415-1998)

Co. Mandia offered and Co. Maloney seconded

WHEREAS, Section 243(4) of the General Municipal Law of the State of New York requires that members of a Parks Board and Recreation Commission shall serve without compensation, and

WHEREAS, the Town Board of the Town of Clarkstown wishes to compensate members of the Clarkstown Parks Board and Recreation Commission for their services to the Town, and

WHEREAS, Resolution No. 298 adopted on March 24, 1998 by the Town Board of the Town of Clarkstown, requesting the State Legislature and the Governor to amend Section 243(4) of the General Municipal Law to allow for compensation to members of the Clarkstown Parks Board and Recreation Commission, was forwarded to the Assembly and the Senate of the State of New York for their review and submission as a bill, and said bill was introduced;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby authorizes the Supervisor to sign a Home Rule Request concerning Assembly Bill No. A.10702 and Senate Bill No. S.7187, amending Section 243(4) of the General Municipal Law.

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. (416-1998)

Co. Maloney offered and Co. Profenna seconded

WHEREAS, Wellness Institute, Inc. has advised the Town Board that participants in the New York State Empire Plan and US Healthcare can receive mobile, diagnostic services for Osteoporosis at work, and

Continued on Next Page

RESOLUTION NO. (416-1998) Continued

WHEREAS, this newly approved program which is provided by the Wellness Institute and Helen Hayes Hospital, provides educational seminars to assess high risk persons and bone scans are made at the work site for persons who are at risk. A follow up seminar is provided with results and counseling on treatment recommendations, and

WHEREAS, the CSEA and the Town Board believe this program will provide a great benefit to Town of Clarkstown employees;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Wellness Institute, Inc., in a form approved by the Town Attorney, to provide said program to Town of Clarkstown employees who participate in the NYS Empire Plan and US Healthcase, at no cost to Town employees or the Town of Clarkstown, and be it

RESOLVED, that said program shall be provided at the work site, and Town employees shall use their own time to participate in said program.

RESOLVED, that Resolution No. 236-1998 which authorized the installation of "No Parking" signs on both sides of Jay Street, Bardonia is hereby amended at the request of a resident of Jay Street, Bardonia, and

WHEREAS, Wayne T. Ballard, PE, CSP, Superintendent of Highways is hereby authorized to remove the "No Parking" sign between 43 and 45 Jay Street, Bardonia and replace it with a "No Parking Here To Corner" sign, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to Wayne T. Ballard, PE,CSP, Superintendent of Highways for implementation and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information and for enforcement purposes.

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. (417-1998)

Co. Maloney offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement extending the contract between the Town of Clarkstown and Arthur Conklin, whereby Arthur Conklin agrees to provide services to the Building Department on an advisory and consultative basis, consistent with the terms of said contract, for the period from May 14, 1998 to November 13, 1998.

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. (418-1998)

Co. Maloney offered and Co. Profenna seconded

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

FURTHER RESOLVED, that the Town Board hereby allocates the following sum in economic assistance to:

JAWONIO FOUNDATION, INC.     \$250.00

and be it

FURTHER RESOLVED, that the 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  
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RESOLUTION NO. (419-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that Resolution No. 236-1998 which authorized the installation of "No Parking" signs on both sides of Jay Street, Bardonia is hereby amended at the request of a resident of Jay Street, Bardonia, and

WHEREAS, Wayne T. Ballard, PE, CSP, Superintendent of Highways is hereby authorized to remove the "No Parking" sign between 43 and 45 Jay Street, Bardonia and replace it with a "No Parking Here To Corner" sign, and be it

FURTHER RESOLVED, that the Town Clerk is directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways for implementation and to the Traffic and Traffic Fire Safety Advisory Board and the Chief of Police for their information and for enforcement purposes.

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. (420-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that Resolution No. 2, adopted by the Town Board on January 5, 1998, is hereby

RESOLUTION NO. (420-1998) Continued

amended by canceling Town Board meetings scheduled for July 28, 1998 and August 25, 1998, and the Town Board Workshop meetings scheduled for July 20, 1998 and August 17, 1998.

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. (421-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby amends Resolution No. 656 adopted by the Town Board on September 9, 1997, as follows:

WHEREAS, by letter dated August 26, 1997, Dr. Arnold Amster, Chairman of the Clarkstown Board of Appeals, requested outside legal representation for the Board of Appeals with respect to three pending appeals, and

WHEREAS, it is the desire of the Town of Clarkstown to avoid any allegation of conflict of interest in connection with said appeals;

NOW, THEREFORE, be it

RESOLVED, that Dr. Arnold Amster, Chairman of the Clarkstown Board of Appeals, on behalf of the Board of Appeals, is hereby authorized to retain outside counsel in connection with the following matters: Appeal No. 2748 Julia Ashbey, et al; Appeal No. 2773 Charles E. Holbrook; and Appeal No. 2774 Brian Scully, et al, and any litigation therein, and be it

FURTHER RESOLVED, that the total legal fee for outside counsel shall not exceed the sum of \$11,203.00, which fee shall be paid by the Town of Clarkstown, and be it

FURTHER RESOLVED, that this Resolution is made retroactive to September 9, 1997.

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. (422-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that Resolution No. 4, adopted by the Town Board of January 5, 1998, is hereby amended to include the Town's Computer Network Specialist to the list of Town personnel who use their personal automobiles in performance of their official duties, to be reimbursed for mileage at the rate of 31.5¢ a mile.

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RESOLUTION NO. (422-1998) 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. (423-1998)

Co. Maloney offered and Co. Mandia seconded

PETITION, for the Extension of the Clarkstown Consolidated Water Supply District No. 1 to include Sisters of Charity 8-A-4 in the Town of Clarkstown, Rockland County, New York

WHEREAS, a written Petition dated April 15, 1998, 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 ATTACHED)

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 9th day of June, 1998 at 8:00 P.M. EST 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:

- Council man Maloney.....Yes
- Councilman Mandia.....Yes
- Councilman Profenna.....Yes
- Councilwoman Smith.....Yes
- Supervisor Holbrook .....Yes

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RESOLUTION NO. (424-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that the Town Board hereby adopts the following schedule of pay rate increases for Office Worker Students and Laborer Students effective May 18, 1998:

Year Round High School Students (Office Worker Students) and Laborer Students .....50¢ Per Hour

Year Round College Students (Office Worker Students) and Laborer Students .....50¢ Per Hour

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RESOLUTION NO. (424-1998) Cotinued

Returning Seasonal College Students

Office worker Students.....	50¢ Per Hour
Laborer Students.....	50¢ Per Hour

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. (425-1998)

Co. Profenna offered and Co. Mandia seconded

RESOLVED, that Martin Michaelson, 10 Colgate Drive, Bardonia, New York is hereby reappointed to the position of Member, Sanitation Commission, at the current 1998 annual salary of \$2,000.00, term effective May 22, 1998 and to expire on May 21, 2003.

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. (426-1998)

Co. Profenna offered and Co. Mandia seconded

WHEREAS, the Rockland County Personnel Office has certified on April 28, 1998 that the position of Computer Installation Assistant - Data Processing Department can be created.

NOW, THEREFORE, be it

RESOLVED, that the position of Computer Installation Assistant - Data Processing Department is hereby created effective May 13, 1998, and be it

FURTHER RESOLVED, that the Grade for the position of Computer Installation Assistant is established at a Grade 21.

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. (427-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Deputy Director of Environmental Control that

BID #31-1998 - SEWER JET TRUCK

is hereby awarded to:

JET VAC, INC.  
402 MARSHALL STREET  
PETERSON, NJ 07503  
PRINCIPALS: JACK L. DOHENY  
ALLAN B. EARL  
JAMES R. RATTAY

as per their proposed cost of \$118,000

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. (428-1998)

Co. Maloney offered and Co. Mandia seconded

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

BID #37-1998  
CAST IRON CURB INLETS, CATCH BASIN FRAMES & GRATES

is hereby awarded to:

CAMPBELL FOUNDRY COMPANY	EXPANDED SUPPLY PRODUCTS, INC
800 BERGEN STREET	RD 1 BOX 93 RTE. 9
HARRISON, NJ 07029	COLD SPRINGS, NY 10516
PRINCIPALS: J. ROBERT CAMPBELL, JR.	PRINCIPALS: BRUCE KEHR
JOHN CAMPBELL	DONNA KEHR
LEIGH V. MAYNARD	

(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

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RESOLUTION NO. (429-1998)

Co. Maloney offered and Co. Mandia seconded

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

BID #36-1998  
WASHED SAND & GRAVEL

is hereby awarded to:

VAN ORDER SAND & GRAVEL OF RINGWOOD  
P.O. BOX 8246  
HALEDON, NJ 07538  
PRINCIPAL: JANET R.A BRAEN

ISLIP BUSINESS CORP.  
45 S. 4<sup>th</sup> STREET  
BAY SHORE, NY 11706  
PRINCIPAL: GEORGE HEINLEIN

E. TETZ & SONS, INC.  
RD 2, BOX 65 CRYSTAL RUN ROAD  
MIDDLETOWN, NY 10940  
PRINCIPALS: EDWARD TETZ, JR.  
GARY TETZ  
DENISE STITT  
CORINNE TETZ

(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

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RESOLUTION NO. (430-1998)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, VIVIAN STOWBRIDGE, NEW CITY ALLIANCE CHURCH and MICHAEL FINELLI have petitioned the Town Board of the Town of Clarkstown requesting that the Zoning Ordinance of the Town be amended by redistricting property owned by the petitioners, from an R-40 District to an R-22 District, and

WHEREAS, said property is designated on the Clarkstown Tax Map as Map 21, Block A, Lots 6, 8 and 9;

NOW, THEREFORE, be it

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

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RESOLUTION NO. (430-1998) Continued

FURTHER RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County, New York, in the Town of Clarkstown, on June 23, 1998, at 8:00 P.M., relative to the proposed amendment, and be it

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

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

On roll call the vote was as follows:

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

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RESOLUTION NO. (431-1998)

Co. Smith offered and Co. Maloney 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 is considering to further amend said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following 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:

**Amend Section 290-II B of the Zoning Ordinance, Table 16, General Bulk Regulations, R-10 District, as follows:**

- Column II, Group M, from 5" to 11";
- Column II, Group N, from 5" to 10";
- Column II, Group O, from 5" to 8".

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.

RESOLUTION NO. (431-1998) 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. (432-1998)

Co. Profenna offered and Co. Maloney seconded

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

THEREFORE, RESOLVED, to decrease Contingency Account No. A 1990 505 by \$13,950.00 and increase the following Appropriation Accounts:

A 1355 225 (Assessor-Computer Hardware).....	\$ 1,100.00
A 1355 402 ( " -Rental Equipment).....	3,500.00
A 1320 409 (Town Accounting-Fees for Services).....	750.00
A 3320 219 (Install Traffic Signals-Misc. Equipment).....	1,600.00
A 5650 461 (Commuter Parking-Fees for Services).....	500.00
A 9710 409 (Debt Service-Fees for Services).....	6,500.00

and be it

FURTHER RESOLVED, to increase Estimated Revenue Account No. A 01 5 2412 0 (Rental/Old Police Bldg.) and A 1630 408 (Old Police Bldg.-Bldg Repairs) by \$285.00; increase Estimated Revenue Account No. A 01 10 4989 0 (Community Development) by \$21,155.00, increase A 8989 222 1 (Community Development-Playground Imp) by \$14,200.00 and A 8989 222 2 (Community Center, Imp.) by \$6,955.00; increase Estimate Revenue Account A 0110 3840 0 (Government Bicycle Safety) and A 3120 307 (Police Uniforms) by \$5,000.00; increase A 01 3 2705 2 (Donations-Pyramid) and A 3120 113 (Police overtime) by \$3,072.00; increase Estimated Revenue Account B 02 9 2680 (TOV-Insurance Recoveries) and B 8110 111 (Sewer-Overtime) by \$864.96; increase Estimated Revenue Account B 02 1 1001 (TOV-Real Property Tax and B 8110 435 (Sewer-Inter Governmental Charges) by \$43,249.67; decrease A 1110 201 (Justice Court-Furniture & Furnishings) and increase A 1110 402 (Rental Equipment) by \$3,000.00 and decrease A 1110 201 (Justice Court-Furniture & Furnishings) and increase A1680 225 (Data Processing-Computer Hardware) by \$3,000.00

On roll call the vote was as follows:

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

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RESOLUTION NO. (433-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the following has applied for a Certificate of Registration pursuant to

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RESOLUTION NO. (433-1998) Continued

Section 296-48 of the Town Code of the Town of Clarkstown:

R. R. PLUMBING SERVICES  
190 Saw Mill River Road  
Hawthorne, New York 10532

RESOLVED, that the following Certificate of Registration be issued:

No. 98-25 R.R. PLUMBING SERVICES

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. (434-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that permission is hereby granted for a fireworks display to be conducted by the Clarkstown Park Board and Recreation Commission at the Nanuet Senior High School at approximately 9:30 P.M. on Wednesday, July 8, 1998 pursuant to Section 405 of the Penal Law.

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. (435-1998)

Co. Profenna offered and Co. Smith seconded

WHEREAS, damage to an existing, private drain line at #29 Dover Road, Congers occurred during construction on the Dover Road - The Rise Roadway and Drainage Project; and

WHEREAS, the Department of Environmental Control was made aware of this situation via a complaint by the homeowner at said residence; and

WHEREAS, the Department of Environmental Control determined that immediate attention was required to facilitate repairs to said drain line; and

WHEREAS, the Department of Environmental Control directed Cal Mart Enterprises, Inc., the contractor for the Dover Road - The Rise project, to make said repairs;

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RESOLUTION NO. (435-1998)

NOW, THEREFORE, be It

RESOLVED, that the Director of the Department of Environmental Control is authorized to reimburse Cal Mart Enterprises, Inc. for said repair work, as per their invoice, in the amount of \$7,215.00; and be it

FURTHER RESOLVED, that this shall be a proper charge to account # H 7182 409 0 55 21.

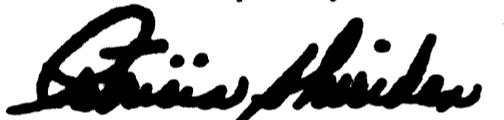
On roll call the vote was as follows:

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

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There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Councilman Mandia, seconded by Councilman Maloney and unanimously adopted, the Town Board Meeting was declared closed, time: 8:15 P.M.

Respectfully submitted,

  
 PATRICIA SHERIDAN,  
 Town Clerk