

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

12/22/98

8:00 P.M.

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

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

On motion of Co. Maloney, seconded by Co. Profenna and unanimously adopted, the public hearing re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1: Rockhill Building Corp (Clarksville Corners Subdivision) was declared open time: 8:25 P.M.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1: Rockhill Building Corp (Clarksville Corners Subdivision) was declared closed RESOLUTION NO. 1000-1998 ADOPTED, time: 8:26 P.M.

On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted, the public hearing re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1: Long Clove, LLC was declared open time: 8:27 P.M.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1: Long Clove, LLC was declared closed RESOLUTION NO. 1001-1998 ADOPTED, time: 8:28 P.M.

On motion of Co. Mandia, seconded by Co. Maloney and unanimously adopted, the public hearing re: Petition for Abandonment of a portion of South Grant Avenue was declared open time: 8:28 P.M.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing re: Petition for Abandonment of a portion of South Grant Avenue was declared closed, time: 8:45 P.M.

RESOLUTION NO. (967-1998)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that Town Board Minutes of December 8, 1998 are hereby accepted as submitted by the Town Clerk.

Continued on next page

RESOLUTION NO. (967-1998) CONTINUED

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (968-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Nyack Public School District has requested that the existing street lighting be upgraded to improve the safety and welfare of the community on Lake Road, Valley Cottage in the area of the Valley Cottage Elementary School, and

WHEREAS, the Town of clarkstown is entitled to upgrade, at no charge, a total of 104 existing street light fixtures

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown hereby accepts a proposal from Orange and Rockland Utilities, Inc. dated December 4, 1998 for the upgrade of street lighting at the following locations:

Lake Road

Valley Cottage

(Pole number 60725/40752 - Remove one (1) 5800 lumen sodium vapor street light on 8 foot bracket - Install one (1) 27500 lumen sodium vapor street light on 8 foot bracket)

(Pole number 60739/40755 - Remove one (1) 16000 lumen sodium vapor street light on 8 foot bracket - Install one (1) 27500 lumen sodium vapor street light on 8 foot bracket)

(Pole number 60762/40760 - Remove one (1) 16000 lumen sodium vapor street light on 8 foot bracket - Install one (1) 27500 lumen sodium vapor street light on 8 foot bracket)

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (970-1998) CONTINUED

(Pole number 59071/39483 - Remove one (1) 4000 lumen mercury vapor street light - Install one (1) 5800 lumen sodium vapor street light on 8 foot bracket)

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (971-1998)

Co. Maloney offered and Co. Mandia seconded

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

“No Parking Anytime” signs with directional arrows on the northside of Demarest Mill Road, Nanuet, East to the most easterly property line of the Health Club and on the southside of Demarest Mill Road from West Nyack Road, East to Rte. 304, Nanuet.

and be it

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

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (972-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with TROJAN MECHANICAL, Pearl River, New York, in a form satisfactory to the Town Attorney, to provide preventative and on-call maintenance for the Liebert HVAC unit located in the Town Computer Room, for the period from January 1, 1999 through December 31, 1999, and be it

Continued on next page

RESOLUTION NO. (972-1998) CONTINUED

FURTHER RESOLVED, that the annual fee for such services shall be \$1,200.00 which will be billed quarterly for preventative maintenance, plus \$55.00 per hour for emergency services authorized by the Director of Automated Systems, which fee shall be charged to Account No. A 1680-438.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (973-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement, in a form approved by the Town Attorney, with the Valley Cottage Indians, Inc., which provides 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 sum of \$2,500.00 in economic assistance to the Valley Cottage Indians, Inc., to provide such services for the calendar year 1998.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (974-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Micros-to-Mainframes, Inc., in a form satisfactory to the Town Attorney, to provide on site maintenance and repair to the Town personal computers, and be it

FURTHER RESOLVED, that said service shall be provided on a retainer basis of \$15,000.00 for a period of one year, provided that the agreement may be terminated on thirty days notice by the Town, and be it

Continued on next page

RESOLUTION NO. (974-1998) CONTINUED

FURTHER RESOLVED, that said sum shall be charged to Account No. A 1680-438.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (975-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Complus Data Innovations, Inc. (COMPLUS), in a form approved by the Town Attorney, to provide Ticket Management System to be used by the Town for processing parking tickets.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (976-1998)

Co. Mandia offered and Co. Profenna seconded

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Thomas and Constance Walker of 3 Rob Court, Nanuet, New York, which agreement provides that the Town of Clarkstown shall repair and/or improve the subject premises at its own cost and expense. (Said agreement on file in Town Clerk's Office.)

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

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RESOLUTION NO. (977-1998)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, the Town of Clarkstown entered into a contract with Ogden Remediation Services Co., Inc. in accordance with the requirements of Bid No. 34-1996 for remediation and capping of the Clarkstown Sanitary Landfill for a contract price, including approved change orders totaling approximately \$23,407,000. and

WHEREAS, due to certain unforeseen circumstances and weather related delays, additional work was necessary to complete said project:

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to enter into further change orders in accordance with the recommendations of the Director of the Department of Environmental Control; the Town's Engineering Consultants, Roy F. Weston of New York, Inc.; and the approval of the Town Attorney as to form, to provide for payment not to exceed an additional sum of \$3,725,000 in full settlement and satisfaction of all additional approved construction items and costs associated therewith, and be it

FURTHER RESOLVED, that upon payment of same, any and all further claims that the contractor may make shall be released.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (978-1998)

Co. Mandia offered and Co. Profenna seconded

WHEREAS, a contract for professional services concerning the Town of Clarkstown Comprehensive Plan has been proposed by Robert Geneslaw Co. in the amount of \$63,000;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor of the Town of Clarkstown to execute said agreement with Robert Geneslaw Co., in a form approved by the Town Attorney, for professional services concerning the Town of Clarkstown Comprehensive Plan, and be it

FURTHER RESOLVED, that the fee of \$63,000 shall be charged to Account No. B 8020-320.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

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RESOLUTION NO. (979-1998)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, to decrease Appropriation Account A-7310-328 (Books) by \$238.00 and to increase Revenue Account A-7310-427 (publicity) by \$238.00.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (980-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, Resolution No. 354-1998 adopted on April 14, 1998 which authorized advertising for bids for Bid #38-1998 is hereby corrected to read:

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

BID NO. 15 - 1999

Renovation of the Third Floor
Located in the former Police/Courts Building

Bids to be returnable to the Office of the Director of Purchasing, Town of Clarkstown, 10 Maple Avenue, New City, New York 10956, on January 29, 1998, by 11:00 A.M., at which time bids will be opened and read, and be it

FURTHER RESOLVED, that the bid specifications and proposal documents can be obtained at the Office of the Director of Purchasing.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (981-1998)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that the Town Board of the Town of Clarkstown hereby approves the terms contained in a Side Letter between the Town of Clarkstown and the Rockland County P.B.A. dated December 22, 1998 and hereby authorized the Supervisor to execute same.

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RESOLUTION NO. (984-1998)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that upon the recommendation of the Director of the Department of Environmental Control of the Town of Clarkstown, Performance Bond in the amount of \$12,900.00, secured by Passbook No. 01-723622, which was furnished to the Town in connection with the Prindle Subdivision, is hereby terminated; and the passbook may be released.

On roll call the vote was as follows:

- Co. Maloney Yes
- Co. Mandia Yes
- Co. Profenna Yes
- Co. Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (985-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, it is necessary for the Town of Clarkstown to grant to the Rockland County Sewer District No. 1 a 15 foot permanent easement and a 10 foot temporary easement to be used by the Rockland County Sewer District No. 1 in the vicinity of the proposed Clarkstown Golf Course, identified on the Town of Ramapo Tax Map as Tax Lot 3/13A2C1;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized and directed to execute a deed to the Rockland County Sewer District No. 1 for a 15 foot permanent easement and a 10 foot temporary easement, and be it

FURTHER RESOLVED, that the Town of Clarkstown obtain title insurance in the amount of \$35,000 to insure said easement.

On roll call the vote was as follows:

- Co. Maloney Yes
- Co. Mandia Yes
- Co. Profenna Yes
- Co. Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (986-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, Tectonic Engineering Consultants, P.C. have been authorized to provide inspection and material testing services for the 1998 Roadway Resurfacing Program in the Town of Clarkstown for a cost of \$9,000.00, and

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RESOLUTION NO. (986-1998) CONTINUED

WHEREAS, there have been an increase in the number of roads and a net increase in the contract,

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes additional funds in the amount of \$11,000.00 for the cost of such additional services.

On roll call the vote was as follows:

- Co. Maloney Yes
- Co. Mandia Yes
- Co. Profenna Yes
- Co. Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (987-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has certified on December 11, 1998 that the position of Custodian I - Parks Board and Recreation Commission- can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Custodian I - Parks Board and Recreation Commission - is hereby created - effective December 23, 1998.

On roll call the vote was as follows:

- Co. Maloney Yes
- Co. Mandia Yes
- Co. Profenna Yes
- Co. Smith Yes
- Supervisor Holbrook Yes

RESOLUTION NO. (988-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles Assessing Clerk I (NCP) #98101 which contains the name of Frances Koppel,

NOW, THEREFORE, be it

RESOLVED, that Frances Koppel, 41 Lakewood Drive, Congers, N.Y. is hereby appointed to the (Permanent) position of Assessing Clerk I - Assessor's Office - at the current 1998 salary of \$38,149., effective and retroactive to December 14, 1998.

Continued on next page

RESOLUTION NO. (988-1998) CONTINUED

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (989-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, Theodore F. Atzl, land surveyor, on behalf of the developer Viola Park Realty, LLC, has made application to the Town Board of the Town of Clarkstown for use of Town Law 280-a(4) for development of the premises known and designated on the Clarkstown Tax Map as Map 2l, Block A, Lot 8;

NOW, THEREFORE, be it

RESOLVED, that under the provisions of Section 280-a(4) of the Town Law, and pursuant to the recommendations of the Town of Clarkstown Planning Board, the Town Board hereby establishes an "Open Development Area" for property situate on the north side of New Hempstead Road, New City, New York, which property is more specifically designated on the Clarkstown Tax Map as Map 2l, Block A, Lot 8, and consists of approximately 5.4653 acres. The Stowbridge Estates Subdivision may be developed as a result of the application presently pending before the Clarkstown Planning Board, provided however, prior to the issuance of any building permit the following conditions shall be met by the owner:

1. "The Open Development Area" shall consist of the area as shown on a proposed subdivision map entitled, "Stowbridge Estates, Town of Clarkstown, Rockland County, New York, Subdivision Plat" dated July 30, 1998, drawn by Atzl Scatassa & Zigler, P.C., New City, New York, for which Building Permit or Certificates of Occupancy may be issued for no more than four (4) lots subject to obtaining final subdivision and site plan approval of the Clarkstown Planning Board, for which access to said dwellings is given by the private right-of-way or easement as shown on said proposed subdivision and site plans.

2. Prior to final approval, applicant shall secure in writing a statement from the New City Ambulance Corps and the Fire District servicing the area that the proposed right-of-way will provide sufficient emergency access.

3. Applicant shall obtain the review and approval of the proposed access, any required drainage improvements and the necessary sewer systems from the Department of Environmental Control, prior to final site plan approval.

4. Prior to final approval, applicant shall provide a Declaration of Restrictive Covenant which shall run with the land in a form acceptable to the Town Attorney and which shall be recorded in the Rockland County Clerk's Office, which Declaration shall contain the following declaration and covenants:

Continued on next page

RESOLUTION NO. (989-1998) CONTINUED

A. That the property owners acknowledge that access to the nearest public road has been obtained by private easement or right-of-way and that the property owner shall not receive any municipal services consisting of road maintenance and resurfacing, snow removal or sanding, pothole repair, or other similar services which are provided to residents of the Town of Clarkstown whose properties front on a public road.

B. That any deed of conveyance for the subject premises shall recite that the conveyance is subject to the Declaration of Covenants required herein.

C. That the fee ownership of the right-of-way or easement shall be vested in the abutting lot owners

D. That the Declaration shall contain provisions for reciprocal easement and maintenance agreement to provide for regular maintenance, repair, snow plowing and other necessary services on the right-of-way or easement by the property owners, and the sharing of the cost of same on an equitable basis.

E. That the Certificate of Occupancy issued for any premises within the site plan or subdivision boundaries shall be conditioned upon observance and subject to the Declaration of Covenants herein required.

F. That in the event the property owner at any time in the future shall request establishment of a road improvement district or otherwise seek to dedicate the private right-of-way or easement as a public street, such owner shall gratuitously and irrevocably offer for dedication to the Town of Clarkstown any interest of the property owner in this easement or right-of-way and any property adjacent thereto, and said owner shall covenant in said Declaration of Covenants to participate in any such road improvement district at the request of the Town of Clarkstown by resolution duly adopted by the Town Board with the costs of such road improvement district being assessed against the property owners in accordance with the provisions of Town Law.

G. That the applicant shall return to the Planning Board for subdivision review and approval, and that any site plan or subdivision map approved by the Planning Board shall contain a note referring to the resolution establishing the "Open Development Area" by date and number, which site plan or map note shall also state that the issuance of Building Permits and Certificates are subject to compliance with the Declaration of Covenants herein required.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (990-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 296-48 of the Town Code of the Town of Clarkstown:

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RESOLUTION NO. (990-1998) CONTINUED

W. HARRIS & SON, INC.
37 W. Washington Ave.
Pearl River, New York 10965

LIFESTYLE BUILDERS, INC.
495 Country Club Lane
Pomona, New York 10970

RESOLVED, that the following Certificates of Registration be issued:

No. 99-4 W. HARRIS & SON, INC.

No. 99-5 LIFESTYLE BUILDERS, INC.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (991-1998)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the following have applied for Certificates of Registration pursuant to Section 296-48 of the Town Code of the Town of Clarkstown:

CAL MART ENTERPRISES, INC.
CAL MART CONSTRUCTION CORP.
357A Route 59
West Nyack, New York 10994

PETER KIERNAN d/b/a
ROTO-ROOTER SERVICES CO.
190 Saw Mill River Road
Hawthorne, New York 10532

RESOLVED, that the following Certificates of Registration be issued:

No. 99-7 CAL MART ENTERPRISES, INC.

No. 99-8 PETER KIERNAN d/b/o ROTO-ROOTER SERVICES CO.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

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RESOLUTION NO. (992-1998)

Co. Smith offered and Co. Mandia seconded

RESOLVED, that based upon the recommendation of the Director of Environmental Control, United Water New York is hereby authorized to install the following hydrant(s):

- H#1 - E/S of Buena Vista Rd. approx 500' n/o Hydt #24-488
- H#2 - E/S of Buena Vista Rd. approx 500' n/o Hydt #1
- H#3 - E/S of Buena Vista Rd. approx 400' n/o Hydt #2
- H#4 - E/S of Buena Vista Rd. approx 300' n/o Hydt #3

Investigation No.: 11513, and be it

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to Tricia Betz, Utility Service Coordinator.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (993-1998)

Co. Smith offered and Co. Maloney seconded

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

BID 7-1999
JANITORIAL/MAINTENANCE SUPPLIES

is hereby awarded to:

- | | |
|---|---|
| <p>1) Aetna Janitorial
137 North Main Street
Spring Valley, NY 10977
Principals: Lorri Vetrano</p> | <p>2) Cleaning Systems
44A Secor Lane
Pelham Manor, NY 10803
Principals: Barbara Trister
James Trister</p> |
| <p>3) E.A. Morse
11-25 Harding Street
Middletown, NY 10940
Principals: Winifred V. Morse
Carl D. Morse
Johanne N. Cortright</p> | <p>4) Mt. Ellis Paper Co.
PO Box 4083
New Windsor, NY 12553
Principals: Clifford Kaplan
Seymour Kaplowitz</p> |

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RESOLUTION NO. (993-1998) CONTINUED

5) Wipe-Tex Int'l Corp
1200 Zerega Avenue
Bronx, NY 10462
Principal: Alex Futter
Robert Clemento

as per the item/price schedule.

(On file in Town Clerk's Office)

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (994-1998)

Co. Smith offered and Co. Mandia seconded

WHEREAS, the Nyack/Valley Cottage Little League has proposed to improve its facility at Liberty Field which is leased from the Town by installing lighting which will enhance its recreational program, and

WHEREAS, the Town has, by Resolution No. 614-1998, approved funds for lighting for several school districts in the Town and wishes to include the Nyack/Valley Cottage Little League in those funds;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement, in a form approved by the Town Attorney, to provide for funds under Resolution No. 614-1998 adopted by the Town Board on August 11, 1998, to the Nyack/Valley Cottage Little League for use exclusively in improving Liberty Field by the installment of approved lighting.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

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RESOLUTION NO. (995-1998)

Co. Maloney offered and Co. Smith seconded

WHEREAS, MIRROR LAKE ROAD, Nanuet, New York, from Lariat Court to the Town of Ramapo boundary line is hereby found to be surplus, and

WHEREAS, Joy Builder's Inc., owner of Clarkwest Subdivision, has proposed that \$6,000 be paid for said property;

NOW, THEREFORE, be it

RESOLVED, that said property is declared to be surplus and the offer of \$6,000 by Joy Builder's Inc., owner of Clarkwest Homes Subdivision, is hereby agreed upon subject to the following:

- 1. Easements, covenant, and restrictions of record, if any;
- 2. Zoning Ordinance of the Town of Clarkstown;
- 3. Such state of facts as an accurate survey or personal inspection may reveal.

and be it

FURTHER RESOLVED, that this Resolution is subject to Permissive Referendum.

On roll call the vote was as follows:

Co. Maloney	Yes
Co. Mandia	Yes
Co. Profenna	Yes
Co. Smith	Yes
Supervisor Holbrook	Yes

RESOLUTION NO. (996-1998)

Co. Mandia offered and Co. Maloney seconded

Whereas, Town Board Resolution 894-1998 awarded a contract to Helmke Industries, Inc. of Orangeburg, New York for litter control on New York State Route 59 in Nanuet; and

Whereas, the Supervisor of the Town of Clarkstown is desirous of expanding this program to include a portion of New York State Route 304 from Third Street to Laurel Road in New City and the commuter parking lot located at Smith Street and Rte. 59 in Nanuet; and

Whereas, the Department of Environmental Control has solicited a proposal from Helmke Industries, Inc. to cover the cost of this additional work; and

Whereas, the Department of Environmental Control has reviewed this proposal with the Supervisor of the Town of Clarkstown and found it to be acceptable;

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RESOLUTION NO. (996-1998) CONTINUED

Now, Therefore, Be It Resolved that Town Board Resolution 894-1998 be amended to include the work in these additional areas at a rate of \$500.00 per cleaning; and

Be It Further Resolved that this shall be a proper charge to account #A 8511 409.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (997-1998)

Co. Profenna offered and Co. Maloney seconded

WHEREAS, the Clarkstown Planning Board, with the assistance and acceptance by the Ad-Hoc Committee, have prepared a Work Program and Public Meetings Schedule for the Town of Clarkstown Comprehensive Plan Update;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby approves the proposed work program and the public meetings schedule for the Town of Clarkstown Comprehensive Plan Update dated December 16, 1998, as prepared by the Clarkstown Planning Board, with the assistance and acceptance by the Ad-Hoc Committee, which is annexed hereto.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (998-1998)

Co. Profenna offered and Co. Maloney seconded

RESOLVED, that due to safety and liability concerns, and based upon the recommendation of the Clarkstown Police Department, the request to reopen the old Clarkstown Police Department's firing range is hereby denied.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

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RESOLUTION NO. (999-1998)

Co. Mandia offered and Co. Maloney seconded

RESOLVED, that for the purposes of the New York State Environmental Quality Review Act (SEQRA), the Town Board determines that it shall act as lead agency and Robert Geneslaw, Planning Consultant, is hereby authorized and directed to act as agent for the Town Board with respect to SEQRA review with regard to the removal and remediation of the fuel tanks located at the Highway Department site.

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (1000-1998)

Co. Maloney offered and Co. Profenna seconded

ORDER EXTENDING CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO 1 to include ROCKHILL BUILDING CORPORATION (CLARKSVILLE CORNERS SUBDIVISION) adopted and signed (Complete Order on file in Town Clerk's Office).

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. Smith Yes
Supervisor Holbrook Yes

RESOLUTION NO. (1001-1998)

Co. Mandia offered and Co. Maloney seconded

ORDER EXTENDING CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO 1 to include LONG CLOVE, LLC adopted and signed (Complete Order on file in Town Clerk's Office).

On roll call the vote was as follows:

Co. Maloney Yes
Co. Mandia Yes
Co. Profenna Yes
Co. 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 Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Town Board Meeting was declared closed, time: 9:30 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/22/98

8:28 P.M.

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

Re: Petition for Abandonment of a Portion of South Grant Avenue, Congers

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

Supervisor explained that the Town Board cannot take any affirmative action on this tonight because the Town Planning Board has not taken a formal vote on this yet. He asked if there was anyone wishing to make a comment or ask a question.

Appearance: Patricia Betz
So. Conger Avenue

Asked for an explanation of what happens to the property that is being abandoned.

Supervisor stated that this portion of Grant Avenue is not a street. It was laid out back in the early 1890's when the Boston Improvement Company went bust but the streets remained on the official map of the Town. This juncture will never be built but they had anticipated it being built in the 1890's. If it is abandoned the adjacent property owners could acquire it through an exchange of deeds. The Town needs certification that it is not going to be used as a highway, and he confirmed with Mr. Ballard that this had been taken care of. The adjacent property owners can use it to add to their property or further develop their property. He explained that these lands were not owned by the Town, therefore, Town does not make money from this land. However, in order for this to move forward the Town has to take it off the official map.

Appearance: Joe Muggeo, Petitioner

He and Mr. Evans are the property owners adjacent to the road. Wants people to understand that they are the only ones affected by this petition and want to obtain this section to increase the bulk of their property.

Appearance: Larry Kip
Congers

Lives two doors down from this proposed situation. Expressed concerns about the possibility of a house being built on this property.

Supervisor stated that people could apply for variances but there is no by right that another house can be built. If there is not enough bulk then you don't have enough property by right to build a house and there are other conditions that must be met, such as being on a public street. It doesn't necessarily mean that you are going to have a house there but you could if you can obtain variances.

Co. Mandia questioned Mr. Yacyshyn about the lot, whether or not it would require a flag lot to build back there.

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Mr. Yacyshyn stated that was correct and confirmed that it would be very difficult to obtain approval for this.

Appearance: Richard King
Congers

It is his understanding that if Mr. Muggeo wanted to build a house it would be very difficult because (1) he would need a variance because there is not enough property and (2) the Town is already in opposition to flag lots.

Supervisor confirmed that it would be difficult but not impossible.

Dr. King stated that he is opposed to the abandonment based on decreasing property value.

Co. Mandia asked if it were possible to grant the abandonment and have as a covenant that it cannot be used for bulk.

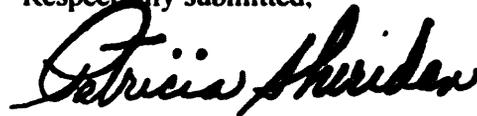
Appearance: Dorothy Heffan
Congers

Does not want a house built on this abandoned property.

Mr. Yacyshyn stated that he would be happy to notify people of when this comes before the Planning Board so they can come and hear the discussion on it.

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the Public Hearing was adjourned, SINE DIE, time: 8:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/22/98

8:25 P.M.

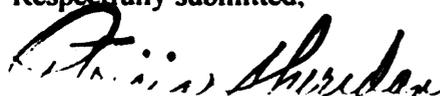
Present: Supervisor Holbrook
Council Members Maloney, Mandia, Profenna & Smith
Murray N. Jacobson, Town Attorney
Patricia Sheridan, Town Clerk

Re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1:
Rockhill Building Corp (Clarksville Corners Subdivision)

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

There being no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Public Hearing was declared closed, RESOLUTION NO. 1000-1998 ADOPTED, 8:26 P.M.

Respectfully submitted,



Patricia Sheridan
TOWN CLERK

(RESOLUTION NO. 1000-1998 ADOPTED)

TOWN OF CLARKSTOWN
PUBLIC HEARING

Town Hall

12/22/98

8:27 P.M.

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

Re: Petition for Extension of the Clarkstown Consolidated Water Supply Dist. No. 1:
Long Clove, LLC

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

There being no one further wishing to be heard, on motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted the Public Hearing was declared closed, RESOLUTION NO. 1001-1998 ADOPTED, 8:28 P.M.

Respectfully submitted,



Patricia Sheridan
TOWN CLERK

(RESOLUTION NO. 1001-1998 ADOPTED)