

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

10/23/2001

8:00 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

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

Supervisor Holbrook read and with the help of the Town Board presented the following Proclamations:

"Clarkstown Stars Doug Glanville" Day  
October 23, 2001

WHEREAS, the Clarkstown Stars Doug Glanville 9 year-old team, in attaining a 14-3 regular season record qualified for the New Jersey Amateur Baseball Congress State Championship, the area which includes Rockland County, and

WHEREAS, after this achievement, the Clarkstown Stars defeated Allendale, Fairlawn, Ridgewood, Pompton Lakes, Midland Park, and Pompton Lakes a second time, thereby capturing the New Jersey Amateur Baseball Congress State Championship, and

WHEREAS, this championship automatically qualified the Clarkstown Stars for the A.A.B.C. Doug Glanville Super Regional World Series in Jonesboro, Georgia where they defeated the Jonesboro Red Sox, the Georgia State Champion Hampton Orioles, the host team Jonesboro Yankees, and Knoxville, Tennessee, before being eliminated in the Championship game, finishing second in the world.

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young athletes, their manager, Brian McIndoe and their coaches, Walter Greig and Artie Pisano for their outstanding achievement and hereby declare this day, October 23, 2001 as "Clarkstown Stars Doug Glanville" Day in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET  
MY HAND AND CAUSE THE SEAL OF THE  
TOWN OF CLARKSTOWN TO BE AFFIXED  
THIS 23<sup>rd</sup> DAY OF October 2001

---

CHARLES E. HOLBROOK, SUPERVISOR  
Town of Clarkstown

**"Clarkstown stars Willie Mays" Day  
October 23, 2001**

WHEREAS, the Clarkstown Stars Willie Mays 10 year-old team, in defeating Allendale, Ridgewood, Midland Park, Wyckoff, and Mahwah won

the New Jersey Amateur Baseball Congress State Championship, the area which includes Rockland County, NY, and

WHEREAS, after this achievement, the Clarkstown Stars defeated Brooklyn, NY, Cheshire, CT, Philadelphia, PA, and host Oakland, NJ, thereby capturing the North Atlantic Amateur Baseball Congress Regional Championship, and

WHEREAS, this championship automatically qualified the Clarkstown Stars for the A.A.B.C. Willie Mays World Series in Knoxville, Tennessee where they defeated the North Central Regional champs from Michigan and the South Eastern Regional champs from Birmingham, Alabama before being eliminated in the fourth round.

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young athletes, their manager, Eric Jorgensen and their coaches, Tom Zimmerman, Brian Bullard, and Lou Castaldo for their outstanding achievement and hereby declare this day, October 23, 2001 as "Clarkstown Stars Willie Mays" Day in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET  
MY HAND AND CAUSE THE SEAL OF THE  
TOWN OF CLARKSTOWN TO BE AFFIXED  
THIS 23<sup>rd</sup> DAY OF October 2001

\_\_\_\_\_  
CHARLES E. HOLBROOK, SUPERVISOR  
Town of Clarkstown

\*\*\*\*\*

**"Clarkstown Stars Sandy Koufax" Day  
October 23, 2001**

WHEREAS, the Clarkstown Stars Sandy Koufax 14 year-old team, in compiling a 19-1 regular season record, winning the Westchester/Rockland Amateur Baseball Congress regular season championship, qualified for the Metro New York State Championship Tournament, and

WHEREAS, after this qualification, Clarkstown defeated the Brooklyn Youth Services, the Long Island Cardinals, and the Long Island Tides twice to capture the Metro New York State Championship, and

WHEREAS, this championship qualified the Clarkstown Stars for the North Atlantic Regional Tournament in Waterbury, Connecticut where they defeated Olnay, Maryland, the Stillwater Braves, and Olnay, Maryland a second time before being eliminated in the fifth round and championship game.

NOW, THEREFORE, be it

TBM 10/23/2001

Page 3

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young athletes, their manager, Jose Caseres and their coaches, Steve Wanamaker, Jim Dinuzzo and Frank Delgais for their outstanding achievement and hereby declare this day, October 23, 2001 as "Clarkstown Stars Sandy Koufax" Day in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 23<sup>rd</sup> DAY OF October 2001

CHARLES E. HOLBROOK, SUPERVISOR  
Town of Clarkstown

\*\*\*\*\*

**"Clarkstown Stars Babe Ruth" Day**  
October 23, 2001

WHEREAS, the Clarkstown Stars 16 year-old Senior Babe Ruth All Stars, comprised of the top players from the Clarkstown Babe Ruth, Clarkstown Stars Mickey Mantle, and Clarkstown Stars Bob Feller teams qualified for the Eastern New York State Championship Tournament, and

WHEREAS, after this qualification, Clarkstown defeated the New York Northeastern representative, the New York Capital District representative, and the Northeastern representative a second time to capture the Eastern New York State Championship, and

WHEREAS, this championship qualified Clarkstown for the Middle Atlantic Regional Tournament where they defeated the North Jersey Newark All-Stars and host New Jersey team before being eliminated in the fourth round.

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, Supervisor of the Town of Clarkstown, on behalf of the Town Board and all our residents, proudly commend these fine young athletes, their manager, Marty Pecora, and their coaches, Kevin Farell and Pete Milmore for their outstanding achievement and hereby declare this day, October 23, 2001 as "Clarkstown Stars Babe Ruth" Day in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND CAUSE THE SEAL OF THE TOWN OF CLARKSTOWN TO BE AFFIXED THIS 23<sup>rd</sup> DAY OF OCTOBER 2001

CHARLES E. HOLBROOK, SUPERVISOR  
Town of Clarkstown

\*\*\*\*\*

Mr. Ready, President of the Clarkstown Baseball Association on behalf of the Clarkstown Baseball Association and Clarkstown Babe Ruth, thanked the Board for their recognition of their players and their continued support. He presented the Board with official star hats and world series shirts.

Supervisor stated that without the volunteers taking an interest in the youth of our community, managing and coaching our teams, obviously we would not have these programs. The facilities here in Clarkstown are second to none. That helps when other communities come here to play and we go elsewhere. The caliber of our athletics has tremendously improved. That is a testimony to the parents and the coaches as well as the talent that is out there. Their efforts are appreciated by us all.

\*\*\*\*\*

School Board Recognition Week  
October 22<sup>nd</sup> - 26<sup>th</sup> 2001

WHEREAS, School Board Recognition Week is an annual event celebrated in school districts throughout the Empire State; and

WHEREAS, the men and women serving as members of school boards are dedicated to children, learning and community; they devote many hours of service to public education and continually strive for improvements, quality and progress in education; and

WHEREAS, the members of New York's local school boards are community leaders who provide an invaluable resource as local decision makers; they respond to the respective needs of their communities, serving the interests of schoolchildren and preparing them for the future; and

WHEREAS, during the week of October 22 - 26, 2001, special activities and programs will be held throughout the Empire State in conjunction with this observance; it is fitting to support this annual celebration in recognition of the contributions of members of local boards;

NOW, THEREFORE, be it

RESOLVED, that I, Charles E. Holbrook, by virtue of the authority vested in me as Supervisor of the Town of Clarkstown, and on behalf of the Town Board, hereby proclaim October 22 - 26 2001, School board recognition week in the Town of Clarkstown.

IN WITNESS WHEREOF I HEREUNTO SET MY  
HAND AND CAUSE THE SEAL OF THE TOWN  
OF CLARKSTOWN TO BE AFFIXED THIS 23<sup>rd</sup>  
DAY OF OCTOBER 2001

\_\_\_\_\_  
CHARLES E. HOLBROOK,  
SUPERVISOR  
Town of Clarkstown

\*\*\*\*\*

Michael Kurek of Boy Scout Troop 33 was awarded a Certificate of Award for achieving the rank of Eagle Scout.

\*\*\*\*\*

On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the public hearing re: Chapter 216 Proceeding: Mwaniki, 290 Phillips Hill Road, New City was opened, time: 8:25 PM.

On motion of Co. Maloney, seconded by Co. Lasker and unanimously adopted, the public hearing re: Chapter 216 Proceeding: Mwaniki, 290 Phillips Hill Road, New City was closed: (RESOLUTION NO. 804-2001 ADOPTED) time: 8:27 PM.

\*\*\*\*\*

TBM 10/23/2001

Page 5

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing re: Proposed Local Law: Golden Age Single Family Residence District (GARS District) was opened, time: 8:29 PM.

On motion of Co. Maloney, seconded by Co. Mandia and unanimously adopted, the public hearing re: Proposed Local Law: Golden Age Single Family Residence District (GARS District) was continued to November 27<sup>th</sup>, time: 10:30 PM.

\*\*\*\*\*

Supervisor opened the public portion of the meeting.

Appearance: Martin Bernstein  
New City

Spoke regarding independent living. Independent living can go to any district.

Appearance: Steve Levine  
Massachusetts Avenue

Spoke regarding Item 8. The engineers did a fine and professional job. When can we see all this stuff removed?

Appearance: Maria Jansen  
Congers

Spoke on Item 8 and going to court. As a resident of Massachusetts Avenue, she would like the debris removed no matter what happens

Appearance: Robert Modell  
Congers

Spoke about an open culvert in front of his house.

RESOLUTION NO. (804-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, by Resolution No. 756-2001, dated September 25, 2001, the Town Board of the Town of Clarkstown duly instituted a proceeding pursuant to Chapter 216 of the Code of the Town of Clarkstown affecting property known and designated on the Clarkstown Tax Map as Map 43.5, Block 1, Lot 83 (f/k/a 22-A-27), reputedly owned by Dinguri N. Mwaniki, and commonly known as 290 Phillips Hill Road, New City, to remove or rectify violations which are unsafe, dangerous and a threat to the health, safety and welfare of the community, and

WHEREAS, a public hearing was duly held on the 23<sup>rd</sup> day of October, 2001, after notice and opportunity to be heard at said hearing was provided to the owner(s) of record of the above premises, as provided by law;

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town of Clarkstown determines that the conditions complained of in the Order and Notice, pursuant to Chapter 216 of the Code of the Town of Clarkstown, dated October 2, 2001, exist and have not been corrected, and be it

FURTHER RESOLVED, that the Building Inspector, the Director of the Department of Environmental Control and/or the Highway Superintendent of the Town of Clarkstown are hereby authorized and directed to take whatever steps as are necessary to correct the conditions complained of in the Order and Notice, if such conditions continue to be uncorrected on or after the 31st day of October, 2001, and be it

TBM 10/23/2001

Page 6

RESOLUTION NO. (804-2001) continued

FURTHER RESOLVED, that the expenses incurred by the Building Inspector, the Director of the Department of Environmental Control, the Highway Superintendent and the Town Attorney with respect to such corrective measure, including the removal of debris and the costs of this proceeding and all other necessary action, be assessed as a lien against the property, and be it

FURTHER RESOLVED, that the Receiver of Taxes is hereby authorized and directed to collect on behalf of the Town of Clarkstown any such expenses incurred by the Building Inspector, the Director of the Department of Environmental Control, the Highway Superintendent and the Town Attorney and any other necessary expenses.

On roll call the vote was as follows:

Councilwoman Lasker . . . . . Yes  
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
\*\*\*\*\*

RESOLUTION NO. (805-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Town Board Minutes of October 9, 2001 are hereby accepted as submitted by the Town Clerk.

On roll call the vote was as follows:

Councilwoman Lasker . . . . . Yes  
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
\*\*\*\*\*

RESOLUTION NO. (806-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Prostate Awareness Foot Race was cancelled in the aftermath of September 11, 2001;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 497, adopted by the Town Board on June 12, 2001 authorizing permission to DR. RICHARD E. HANDELSMAN to sponsor a foot race on Route 59, within the Town of Clarkstown, to promote prostate cancer awareness, is hereby amended to change the date of the foot race from September 16, 2001 to May 19, 2002.

On roll call the vote was as follows:

Councilwoman Lasker . . . . . Yes  
Councilman Maloney . . . . . Yes  
Councilman Mandia . . . . . Yes  
Councilwoman Smith . . . . . Yes  
Supervisor Holbrook . . . . . Yes  
\*\*\*\*\*

TBM 10/23/2001  
Page 7

RESOLUTION NO. (807-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Resolution No. 428-2001, adopted on May 22, 2001 authorized Robert Stritmater and Lawrence Berkowitz of the Data Processing Department to attend the Annual Government Technology Conference on September 12 -14, 2001, and

WHEREAS, the date of this conference has been changed,

NOW, THEREFORE, BE IT

RESOLVED, that Resolution No. 428-2001 is hereby amended to reflect the new date for the Annual Government Technology Conference to be November 13-16, 2001.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (808-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Supervisor is hereby authorized and directed to enter into an agreement with the library organization listed below, in a form approved by the Town Attorney, which provides a service for residents of the Town of Clarkstown which is deemed beneficial to Town residents, and be it

FURTHER RESOLVED, that said library shall receive library assistance, pursuant to §256 of the Education Law of New York State, in the amount of \$3,000 for the calendar year 2001.

Valley Cottage Library    \$3,000

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (809-2001)

Co. Maloney offered and Co. Mandia seconded

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

TBM 10/23/2001

Page 8

RESOLUTION NO. (809-2001) continued

WHEREAS, a survey of the surrounding property owners directly affected by this proposed lighting was conducted by Patricia A. Betz, Utility Service Coordinator.

NOW, THEREFORE, be it

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

Brookside Avenue, Valley Cottage  
(Install one (1) 5800 Lumen sodium vapor street light  
existing utility pole number 60737/40702)

Parkway Drive, New City  
(Install one (1) 5800 Lumen sodium vapor street light  
existing utility pole number 58581/41738)

Prides Crossing, New City  
(Install one (1) 5800 Lumen sodium vapor street light  
existing utility pole number 59734/42006), and be it

FURTHER RESOLVED, that the required tree trimming for street light distribution as noted in the Orange and Rockland Utilities, Inc. proposal for Prides Crossing be performed by the Town of Clarkstown Highway Department, and be it

FURTHER RESOLVED, this shall be at an additional cost of \$112.44 per light, per year, which shall be charged to Account No. SL 5182 461.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (810-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, Rosemary Greany, owner of property designated on the Clarkstown Tax Map as 58.16-1-69, has offered through her counsel to convey a conservation easement gratuitously to the Town of Clarkstown provided that expenses related to mapping and recording are paid by the Town;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes and directs the Director of the Department of Environmental Control to hire a surveyor to survey and map that portion of the premises (58.16-1-69) best suited for a conservation easement, and be it

FURTHER RESOLVED, that the Town Board hereby authorizes the Town Attorney to hire an appraiser to determine the valuation of the easement intended for the benefit of the Town once the survey and mapping have been completed and the conveyance is accepted by the Town Board, and be it

FURTHER RESOLVED, that all reasonable and necessary expenses shall be charged to the Open Space Acquisition Account No. H 8750-409-0-74-1.

RESOLUTION NO. (810-2001) continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (811-2001)

Co. Mandia offered and Co. Smith seconded

RESOLVED, to decrease Appropriation Account A-7180-114 (Part-time) by \$1,020.00 and to increase A-1621-114 (Part-time) by \$1,020.00.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (812-2001)

Co. Mandia offered and Co. Smith seconded

RESOLVED, to decrease Appropriation Account A-7141-407 (Eq. Repair) by \$250.00 and to increase A-7141-204 (Office Machines) by \$250.00, and

FURTHER RESOLVED, to decrease Appropriation Account A-7141-409 (Fees/Serv.) by \$500.00 and to increase A-7141-204 (Office Machines) by \$500.00.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (813-2001)

Co. Mandia offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has received \$2,000 from Hasty Hills Stable, \$840.00 from King & Son Construction, and \$2,590.00 from Costco Wholesale, and

WHEREAS, various accounts need additional funding,

NOW THEREFORE be it,

RESOLUTION NO. (813-2001) continued

RESOLVED, to increase Revenue Account No. H 15 5 2410 2 (Rent-Hasty Hills Stable) and Budgetary Account H 1942-409-0-58-2 (Golf Course-Bid & Specs) by \$2,000 and increase Revenue Account A 01 9 2705 0 (Gifts & Donations) and Budgetary Account A 3120-111 (Police-Overtime) by \$840.00 and increase Revenue Account A 01 9 2705 0 (Gifts & Donations) and Budgetary Account A 3120-111 (Police-Overtime) by \$2,590, and be it

FURTHER RESOLVED, to decrease Budgetary Account A 1420-439 1 (Town Attorney - Tax Certs.) and increase Budgetary Account A 1420-111 (Town Attorney - Overtime) by \$2,000.00 and to decrease Budgetary Accounts A 1670-402 (Mail & Copy - Rental Equipment) by \$922.56, and to increase Budgetary Account A 1670-111 (Mail & Copy) by \$17.06 and A 1670-114 (Mail & Copy - Part Time) by \$905.50 and to decrease Budgetary Account A 1990-505 (Contingency - Other) by \$22,135.04 and to increase Budgetary Accounts A 6410-405 (Advertising - Contractual Services) by \$6,280.65, A 8840-424 (Economic Assistance - Contractual Services) and A 8990-319 (Patriotic Observances - Supplies) by \$2,379.39, to increase Revenue Account A 01-14 2999 0 (Fund Balance - Unexpended) by \$40,972.80 and to increase Budgetary Account A 1430-319 (Personnel - Misc. Supplies) by \$600 and A 8090-409 (Control of Aquatic Pests - Fees for Services) by \$40,372.80.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (814-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Nicholas A. Longo, Tax Assessor, has advised that Kadum A. Ali, owner of premises known as 32 Massachusetts Avenue, Congers, New York, designated as 44.20-3-16 (formerly known as 140-C-6), filed an application for Basic STAR exemption on February 22, 2001 and said application, due to a clerical error, was not acted upon, although filed in a timely manner; and as a result, the premises did not receive the Basic STAR exemption to which it was entitled, and

WHEREAS, the Tax Assessor has recommended that the sum of \$759.26 erroneously assessed, levied and paid be refunded to the property owner;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is authorized to execute the Assessor's Certification for Refund of Real Property Taxes due to a clerical error in the Assessor's Office, as recommended by the Tax Assessor to authorize the refund of the sum of \$759.26 to Kadum A. Ali.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (815-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that the Town Board authorizes payment to Lawler, Matusky & Skelly Engineers LLP, in the amount of \$6,231.52, for providing engineering consulting and testing services for the period August 25, 2001 through September 28, 2001, with respect to property known as Map 52.8-3-53.1 (formerly 139-A-22.5) and 52.8-3-53.2 (formerly 139-A-22.6) (Goldberg), which is the subject of the Town Code Chapter 216 proceeding, in accordance with an invoice dated October 10, 2001.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (816-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, GUSSACK REALTY, CO. has commenced tax certiorari proceedings against the Town of Clarkstown affecting parcel designated as 65.5-2-6 (f/k/a 89-A-18) for the year(s) 1995/96, 1996/97, 1997/98, 1998/99, 1999/00, 2000/01 and 2001/02, and

WHEREAS, petitioner claims environmental contamination of its property and has alleged that the cost to remediate may be as much as \$6,000,000, and

WHEREAS, it is recommended by the Deputy Director of the Department of Environmental Control and Senior Deputy Town Attorney that the services of Lawler, Matusky & Skelly Engineers, LLP be obtained to review, assess and prepare an independent report to estimate the cost of remediation for litigation purposes;

NOW, THEREFOE, be it

RESOLVED, that Lawler, Matusky & Skelly Engineers, LLP are hereby retained to perform the services indicated above at a fee not to exceed \$9,600.00, which shall be charged to Account No. A 1420 439-1, and be it

FURTHER RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an Agreement with Lawler, Matusky & Skelly Engineers, LLP, in a form satisfactory to the Town Attorney.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (817-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that based upon the overwhelming concerns and recommendations of neighborhood residents, the Superintendent of Highways is hereby authorized to install:

- A "Stop" sign on southbound Birch Drive at Poplar, Nanuet
- A "Stop" sign on northbound Birch Drive at Poplar, Nanuet
- A "Stop" sign on southbound Birch Drive at Terrace Avenue, Nanuet
- A "Stop" sign on northbound Birch Drive at Terrace Avenue, Nanuet

and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (818-2001)

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:

A "Dead End" sign at King Arthur Court, New City, NY, 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:

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

\*\*\*\*\*

RESOLUTION NO. (819-2001)

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:

RESOLUTION NO. (819-2001) continued

A "Stop" sign with a Stop line on Doris Drive, at Ludvigh Road, 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:

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

\*\*\*\*\*

RESOLUTION NO. (820-2001)

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:

A "Do Not Block Driveway" sign on Pipetown Hill Road before the driveway to the Town Hill Condominiums, 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:

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

\*\*\*\*\*

RESOLUTION NO. (821-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLVED, that the Superintendent of Highways is hereby authorized to install:

Street name signs for "Smith Street" and "Church Street", Nanuet, where the two roads meet at the curve opposite the Nanuet Library and the Middle School, and be it

FURTHER RESOLVED, that the Town Clerk is hereby directed to forward copies of this resolution to Wayne T. Ballard, PE, CSP, Superintendent of Highways for implementation.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (822-2001)

Co. Maloney offered and Co. Mandia 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 the State of New York Contract with the Department of Environmental Conservation herein called the "Project," is desirable, in the public interest, and is required in order to study and/or implement the local project or program, and

WHEREAS, under Chapter 55, Sections 1 and 2 of the Laws of 2000, relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement, and

WHEREAS, the Municipality has examined and duly considered Chapter 55, Sections 1 and 2 of the Laws of 2000, relating to the local assistance Budget and deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, be it

RESOLVED, by the Town Board of the Town of Clarkstown that:

1. Charles E. Holbrook, Supervisor of the Town of Clarkstown, is hereby authorized and directed as the official representative to act in connection with any contracts with the State, and to sign same on behalf of the Municipality, and to provide such additional information as may be required;
2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York, together with the State Contract;
3. That this Resolution shall take effect immediately.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (823-2001)

Co. Smith offered and Co. Maloney seconded

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

BID #1-2002 – OFFICE SUPPLIES

is hereby awarded to:

ROCKLAND OFFICE SUPPLY  
 P.O. BOX 62  
 SUFFERN, NY 10901  
 PRINCIPALS: DEBBIE TORTORA  
 PAUL TORTORA

CORPORATE EXPRESS  
 160 AVON STREET  
 STRATFORD, CT 06615  
 PRINCIPALS: A PUBLIC CORPORATION

TBM 10/23/2001  
Page 15

RESOLUTION NO. (823-2001) continued

O.P.G. INDUSTRIES  
PO. BOX 140  
BROOKLYN, NY 11232  
PRINCIPALS: DON THOMPSON  
DAN SCHERBE

as per the item/price schedule on file in the Purchasing Department

On roll call the vote was as follows:

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

RESOLUTION NO. (824-2001)

Co. Smith offered and Co. Maloney seconded

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

BID #2-2002  
PHOTOCOPIER AND FAX MACHINE SUPPLIES

is hereby awarded to:

ALL DISCOUNT COPY SUPPLIES  
60 NORTH HARRISON AVENUE  
CONGERS, NY 10920  
PRINCIPALS: SHELDON BUCHMAN  
ANNE BUCHMAN

AMERICAN TONER PRODUCTS  
ROUTE 17M  
P.O. BOX 597  
HARRIMAN, NY 10926  
PRINCIPALS: GOLDIE ENGELMAN

CANON BUSINESS SOLUTIONS  
5 DAKOTA DRIVE  
SUITE 3  
NEW HYDE PARK, NY 11042  
PRINCIPALS: PUBLIC CORPORATION

DANKA OFFICE IMAGING  
11201 DANKA CIRCLE NORTH  
ST. PETERSBURG, FL 33716  
PRINCIPALS: PUBLIC CORPORATION

OFFICE ZONE  
19 WEST STREET  
SPRING VALLY, NY 10997  
PRINCIPALS: DAVID SHUCHT

as per the item/price schedule on file in the Purchasing Department.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (825-2001)

Co. Smith offered and Co. Maloney seconded

TBM 10/23/2001

Page 16

RESOLUTION NO. (825-2001) continued

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

BID # 3-2002  
PRINTING OF TOWN ENVELOPES, STATIONERY & BUSINESS CARDS

is hereby awarded to:

NEWBURGH ENVELOPE CO. 1720 ROUTE 300 NEWBURGH, NY 12550 PRINCIPALS: CARL STILLWAGON STUART STILLWAGON	IK BUSINESS FORMS 949 SPRING VALLEY ROAD MAYWOOD, NJ 07607 PRINCIPAL: PHILIP IAMPIETRO, JR
---	---

as per the item/price schedule on file in the Purchasing Department

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (826-2000)

Co. Maloney offered and Co. Smith seconded

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

BID #4-2002  
ATHLETIC AND RECREATION SUPPLIES

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: 11:00 A.M. on NOVEMBER 16, 2001 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:

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

\*\*\*\*\*

RESOLUTION NO. (827-2001)

Co. Maloney offered and Co. Smith seconded

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

TBM 10/23/2001  
Page 17

RESOLUTION NO. (827-2001) continued

BID #5-2002  
JANITORIAL & MAINTENANCE SUPPLIES

Bids to be returnable to the office of the Director of Purchasing, 10 Maple Avenue, New City, New York by: TO BE ANNOUNCED 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:

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

\*\*\*\*\*

RESOLUTION NO. (828-2001)

Co. Lasker offered and Co. Smith seconded

RESOLVED, that Patrick Ross, 185 Old Route 304, New City, New York is hereby appointed to the position of (Provisional) Computer Operator (Mid Range System) (Trainee), Data Processing Department at the current annual salary of \$25,028.00, effective date pending Rockland County Personnel approval.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (829-2001)

Co. Lasker offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has certified on October 10, 2001 that positions of Laborer (Seasonal), Town of Clarkstown Highway Department can be created.

NOW, THEREFORE, be it

RESOLVED, that position of Laborer (Seasonal) Town of Clarkstown Highway Department are hereby created, effective October 23, 2001, and be it

FURTHER RESOLVED, that the hourly salary range for the position of Laborer (Seasonal) is hereby established for the year 2001 and 2002 at \$11.00 to \$13.00 per hour.

RESOLUTION NO. (829-2001) continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (830-2001)

Co. Lasker offered and Co. Smith seconded

WHEREAS, the Rockland County Personnel Office has certified on May 9, 2001 that position of Senior Clerk Typist #0728 can be reclassified to the position of Records Clerk-Typist (Law Enforcement), Police Department.

NOW, THEREFORE, be it

RESOLVED, that the position of Senior Clerk Typist #0728 is hereby reclassified to the position of Records Clerk-Typist (Law Enforcement), Police Department, effective and retroactive to October 22, 2001, and be it

FURTHER RESOLVED, that the grade for the position of Records Clerk-Typist (Law Enforcement) is hereby established at a grade 19.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (831-2001)

Co. Lasker offered and Co. Smith seconded

RESOLVED, that the Town Board hereby recognizes the appointment by the Police Commission of Helena R. Nejman, 8 Banta Place, New City, New York to the position of (Provisional) Records Clerk-typist (Law Enforcement), Police Department at the current annual salary of \$41,029.00, effective and retroactive to October 22, 2001.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (832-2001)

Co. Smith offered and Co. Lasker seconded

TBM 10/23/2001

Page 19

RESOLUTION NO. (832-2001) continued

WHEREAS, an adverse drainage condition exists along a drainageway within the bed of Allen Street, an unimproved mapped street in the hamlet of Congers, and

WHEREAS, the Town Board is desirous of improving the drainage conditions in this area to reduce standing water and minimize the need for mosquito control measures in the area, and

WHEREAS, the Department of Environmental Control has prepared a plan for work to be performed, including cleaning and debris removal along said drainageway, and

WHEREAS, the proposals have been solicited from 7 Contractors who are capable of performing the work as indicated by the Department of Environmental Control, and

WHEREAS, 4 Contractors have submitted proposals in response to said solicitation, and

WHEREAS, KJS Hauling & Home Improvements has submitted the lowest price proposal to perform the work,

NOW THEREFORE, be it

RESOLVED, that maintenance work to drainageway - Allen Street, Congers is hereby awarded to:

KJS Hauling & Home Improvements  
95 Maple Avenue  
New City, NY 10956

for the proposed maximum cost of \$ 6,750.00, and be it

FURTHER RESOLVED that the amount shall be a proper charge to account number H 8751 409 0 75-27, and be it

FURTHER RESOLVED that this resolution is subject to the Department of Environmental Control securing rights of entry and permanent easements for future maintenance of the Town drainage easements from abutting property owners as necessary.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (833-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, HUDSON VALLEY CHILDREN'S MUSEUM, a not-for-profit and general association organization that provides services to individuals and groups in the Town of Clarkstown, has submitted a request for economic assistance for the year 2001, and

RESOLUTION NO. (833-2001) continued

WHEREAS, the application has been reviewed by the Town Attorney, who has determined that the services provided by the organization set forth herein is in the public interest and qualifies for expenditure of public funds:

NOW, THEREFORE, be it

RESOLVED, that the HUDSON VALLEY CHILDREN'S MUSEUM shall receive economic assistance in the amount of \$2,500.00, provided an agreement, in a form approved by the Town Attorney, is duly executed by the officers of said organization, and be it

FURTHER RESOLVE, that said expenditure pursuant to this resolution shall be charged to Account No. A-8840-424.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (834-2001)

Co. Maloney offered and Co. Smith seconded

RESOLVED, that based upon the recommendation of the Administrative Captain of the Police Department that

BID #60-2001  
RECARPETING OF PORTIONS OF THE POLICE DEPARTMENT

is hereby awarded to:

ABSOLUTE FLOORING, INC  
1735 FRONT STREET  
YORKTOWN, NY 10598  
PRINCIPALS: MARY FELLBUSCH  
PETER FELLBUSCH

as per their proposed project cost of \$33,071.00, and be it

RESOLVED, that said award is subject to the receipt by the Director of Purchasing of the following:

- a) Contractors Liability and Property Damage Coverage with coverage of one million dollars. The Town Of Clarkstown must be named as a co-insured party.
- b) Workers Compensation Insurance Coverage, and
- c) Workers Disability Insurance Coverage, and

WHEREAS, the Clarkstown Police Department requires additional funding for the recarpeting of a portion of the police building,

NOW, THEREFORE be it

FURTHER RESOLVED, to increase A 01 14 2990 0 (Fund Balance Unexpended) and Appropriation Account A 3120-201 (furniture and Fixtures) by \$33,071.00

RESOLUTION NO. (834-2001) continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (835-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, Tectonic Engineering Consultants, P.C., has submitted a proposal dated September 25, 2001, with respect to providing engineering services during the construction phase at the Remediation Of The Twin Elms Drive Culvert project, and

WHEREAS, the Director of the Department of Environmental Control recommends acceptance of the proposal;

NOW, THEREFORE, be it

RESOLVED, that the Town Board authorizes the Director of the Department of Environmental Control to enter into an agreement with

Tectonic Engineering Consultants, P.C.  
 P.O. Box 37  
 70 Pleasant Hill Road  
 Mountainville, NY 10953

in a form satisfactory to the Town Attorney, to provide engineering services on the construction phase at the Remediation Of The Twin Elms Drive Culvert, and be it

FURTHER RESOLVED, that the fee for said work shall not exceed \$8,500 without further resolution of the Town Board, and shall be charged to Account H 8748-409-0-72-1

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (836-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the Town of Clarkstown is desirous of correcting a flooding condition that exists on Westgate Boulevard in New City; and

WHEREAS, the Department of Environmental Control has determined that the existing culvert on Westgate Boulevard is undersized and must be replaced; and

RESOLUTION NO. (836-2001) continued

WHEREAS, the Department of Environmental Control has solicited a proposal from a qualified engineering firm to provide those services necessary to prepare a hydraulic study, construction plans, specifications and contract documents for the replacement of the existing culvert; and

WHEREAS, the Department of Environmental Control has received a proposal in response to its solicitation; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

NOW, THEREFORE, be it

RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain

GEA Engineering, P.C.  
100 Airport Executive Park, Suite 105  
Nanuet, New York 10954

to provide engineering services in accordance with their proposal for an amount not to exceed \$23,650.00; and be it

FURTHER RESOLVED that this amount shall be a proper charge to account # H 8751 400 409 75-28.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (837-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, the existing drainage culvert located on Phillips Hill Road in the vicinity of the entrance to Candy Mountain Day Camp in New City is undersized, misaligned and in a state of disrepair; and

WHEREAS, the Department of Environmental Control has determined that the existing culvert must be replaced; and

WHEREAS, the Department of Environmental Control has solicited a proposal from a qualified engineering firm to provide those services necessary to prepare a hydraulic study, construction plans, specifications and contract documents for the replacement of the existing culvert; and

WHEREAS, the Department of Environmental Control has received a proposal in response to its solicitation; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

RESOLUTION NO. (837-2001) continued

NOW, THEREFORE, Be It Resolved that the Director of the Department of Environmental Control is hereby authorized to retain

GEA Engineering, P.C.  
100 Airport Executive Park, Suite 105  
Nanuet, New York 10954

to provide engineering services in accordance with their proposal for an amount not to exceed \$21,550.00; and be it

FURTHER RESOLVED that this amount shall be a proper charge to account # H 8751 400 409 75-29.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (838-2001)

Co. Maloney offered and Co. Lasker seconded

WHEREAS, an existing drainage culvert located on South Mountain Road in New City is undersized and in a state of disrepair; and

WHEREAS, the Department of Environmental Control has determined that the existing culvert must be replaced; and

WHEREAS, the Department of Environmental Control has solicited a proposal from a qualified engineering firm to provide those services necessary to prepare a hydraulic study, construction plans, specifications and contract documents for the replacement of the existing culvert; and

WHEREAS, the Department of Environmental Control has received a proposal in response to its solicitation; and

WHEREAS, the Department of Environmental Control has reviewed said proposal and found it to be acceptable;

NOW, THEREFORE, be I

RESOLVED that the Director of the Department of Environmental Control is hereby authorized to retain

GEA Engineering, P.C.  
100 Airport Executive Park, Suite 105  
Nanuet, New York 10954

to provide engineering services in accordance with their proposal for an amount not to exceed \$22,300.00; and be it

FURTHER RESOLVED that this amount shall be a proper charge to account # H 8751 400 409 75-30.

RESOLUTION NO. (838-2001) continued

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (839-2001)

Co. Smith offered and Co. Maloney seconded

WHEREAS, the Town of Clarkstown has received a donation of 50.00 from Yaboo Fence Company, Inc., and be it

THEREFORE RESOLVED, to increase estimated Revenue Account No. 01-002705 (Gifts & Donations) and Appropriation Account No. A 7310-329 (Parks & Recreation – Supplies) by \$50.00.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (840-2001)

Co. Smith offered and Co. Maloney seconded

RESOLVED, that Robert Davies, Real Property Appraiser, Assessor's Office is hereby authorized to attend:

- A 15-hour appraisal course on 10/22/01 and 10/23/01 entitled "Ethics and Standards of Professional Practice" registration fee \$200;
- A 7.5-hour course on 11/26/01/ entitled "Fair Housing/Fair Lending in Real Estate" registration fee \$85; and
- A 7.5-hour course on 11/27/01 entitled "Environmental Issues in Real Estate" registration fee \$85

All courses to be held in Albany, NY, and be it

FURTHER RESOLVED, that the total registration fee of \$370, and all reasonable expenses shall be charges against Account No. #1010-414, and be it

FURTHER RESOLVED, that this resolution shall be retroactive to October 22, 2001.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (841-2001)

Co. Maloney offered and Co. Lasker seconded

RESOLVED, that based upon the overwhelming concerns and recommendations of neighborhood residents, the Superintendent of Highways is hereby authorized to install:

Two "Stop" signs on William Street at Carolina Drive, New City, and be it

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

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (842-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board is desirous to have paved a portion of Pierce Street, Nanuet, New York in the vicinity of tax lots 64.05-2-27, 64.05-2-28.2, 64.05-2-41, and 64.05-2-42, and

WHEREAS, the Department of Environmental Control has determined the scope of work associated with the improvement, and

WHEREAS, the Department of Environmental Control has obtained a proposal from a qualified contractor to perform the work.

NOW, THEREFORE, BE IT

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Pinebrook Industries, 49 Rolling Ridge Road, New City, New York, to pave the unimproved portion of Pierce Street in accordance with their proposal dated October 22, 2001, and be it

FURTHER RESOLVED, that the cost for the work shall not exceed \$14, 350.00 and shall be a proper charge to account # H 8751 409 0 75 31.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (843-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, by resolution dated October 9, 2001, the Town Board has indicated an intent to purchase premises known as Tax Map 44.15-3-1, for municipal use purposes in the Hamlet of Congers, New York;

NOW, THEREFORE, be it

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 property known as Tax Map 44.15-3-1, located at 47 Burnside Avenue, Congers, New York, and currently owned by Kathleen Cumming.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (844-2001)

Co. Mandia offered and Co. Lasker seconded

WHEREAS, by resolution dated October 23, 2001, the Town Board has indicated an intent to purchase premises known as Tax Map 34.8-1-8, for parkland in the Open Space Protection Initiative in the Hamlet of New City, New York;

NOW, THEREFORE, be it

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 property known as Tax Map 34.8-1-8, located at 3 High Tor Road, New City, New York, and currently owned by George R. Kempton.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (845-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, by Referendum held on November 7, 2000, residents of the Town of Clarkstown authorized the issuance of \$22 Million in municipal bonds for the purpose of financing the acquisition of Open Space within the Town of Clarkstown, and

RESOLUTION NO. (845-2001) continued

WHEREAS, the Citizens' Advisory Committee for Open Space has recommended certain parcels for protection as part of the Town of Clarkstown Open Space Protection Initiative, and included among its recommendations is a parcel described on the Clarkstown Tax Map as 34.8-1-8 (formerly 81-A-6), which consists of approximately 17.90 acres of vacant property, reputedly owned by George R. Kempton, as Trustee, and

WHEREAS, by a proposal dated October 22, 2001 from The Trust for Public Land, the Town has been advised that The Trust for Public Land has obtained an option to purchase said premises for the sum of \$600,000.00, which is a price at or below the appraised value of the land, and which option must be exercised on or before December 24, 2001, and it has been proposed that The Trust for Public Land will transfer its rights to the Town of Clarkstown to enable the Town to obtain title to the premises referred to herein at the option price of \$600,000.00, plus the customary and necessary closing expenses and adjustments;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby accepts the proposal of The Trust for Public Land to transfer its option rights to purchase the property described herein to the Town of Clarkstown for its Open Space Protection Initiative at a price not to exceed \$600,000.00, plus the customary and necessary closing expenses and adjustments, and be it

FURTHER RESOLVED, that the Supervisor is hereby authorized and directed to enter into a contract, in a form approved by the Town Attorney, to obtain the property after all legal requirements regarding the acquisition of parklands are complied with, and be it

FURTHER RESOLVED, that all expenses pursuant to this Resolution shall be charged to H 8750-409-0-74-1.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (846-2001)

Co. Lasker offered and Co. Maloney seconded

WHEREAS, the Town Board is desirous to have performed drainage improvements in the vicinity of Van Houten Fields, tax lots 64.12-2-11, 64.12-2-12, 64.12-2-39, 64.12-2-56, 64.12-2-57, 64.12-2-58, and 64.12-2-59, and

WHEREAS, the planned improvements are required to ameliorate an flooding condition to properties located downstream of the subject tax lots, and

WHEREAS, obtaining the easements from the subject lots will provide for the extension of the existing drainage easements and proper maintenance of the drainage channel.

NOW, THEREFORE, BE IT

RESOLUTION NO. (846-2001) continued

RESOLVED, that the Director of the Department of Environmental Control is hereby authorized to hire Atzl, Scatassa and Zigler, PC, Surveyors, 234 North Main Street, New City, New York, to prepare the required easement maps and meets and bounds descriptions in accordance with their proposal dated October 22, 2001, and be it

FURTHER RESOLVED, that the cost for the work shall not exceed \$5,950.00 and shall be a proper charge to account # H 8751 409 0 75 32.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (847-2001)

Co. Smith offered and Co. Lasker seconded

WHEREAS, John Tobin, a member of the Boy Scouts of America, has proposed as his Eagle Scout project to plan, finance, and erect a flag pole on Town property located on West Nyack Road, West Nyack, New York, which property was recently acquired as parkland for a proposed Veterans' Memorial, and

WHEREAS, John Tobin has requested Town Board permission to access the premises referred to herein to complete his Eagle Scout project;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to John Tobin to erect a flag pole in the West Nyack Hamlet Park (unnamed at this time), subject to obtaining the approval of the Clarkstown Parks Board and Recreation Commission and providing acceptable plans to the Department of Environmental Control and the Building Inspector, which plans will provide for all reasonably imposed safety concerns during design and construction of the flag pole.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (848-2001)

Co. Lasker offered and Co. Smith seconded

WHEREAS, the Town of Clarkstown has plans to install a traffic signal at the intersection of New Hempstead Road and Buena Vista Road in order to improve the capacity and safety of the Buena Vista Road approach, and

RESOLUTION NO. (848-2001) continued

WHEREAS, in order to accomplish this goal, road widening is necessary, and the New City Gospel Fellowship Church, an adjacent property owner, is willing to gratuitously convey eight plus feet of its property provided the Town reimburses it for any legal and survey fees which would be incurred in obtaining Rockland County Supreme Court permission for the proposed conveyance;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby authorizes the hiring of a surveyor to map the necessary road widening for the project known as the Traffic Signal at New Hempstead Road and Buena Vista Road, New City, New York, for a fee not to exceed \$1,000.00, which shall be charged to Account No. A 1420-409.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (849-2001)

Co. Maloney offered and Co. Mandia seconded

WHEREAS, the Town Board adopted a resolution on September 25, 2001 authorizing the Supervisor to enter into an agreement with the New York Power Authority and American Home Products Corporation to provide that the Town of Clarkstown provide maintenance and traffic enforcement, as necessary, at the Nanuet Commuter Parking Lot in connection with a NYPA pilot project electric vehicle station park and ride facility proposed by the NYPA, and

WHEREAS, the New York Power Authority has advised that it is not necessary for the proposed agreement to include the property owner;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby amends Resolution No. 669-2001 to exclude American Home Products Corporation as party to the proposed agreement.

On roll call the vote was as follows:

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

\*\*\*\*\*

RESOLUTION NO. (850-2001)

Co. Maloney offered and Co. Mandia seconded

RESOLUTION NO. (850-2001) continued

BE IT RESOLVED that, for the period of absence in any calendar year or continuous period of absence exceeding the paid military leave provided for under the New York State Military Law, an officer or employee of the Town of Clarkstown ordered to active military duty pursuant to Executive Order 13223 signed by the President of the United States on September 14, 2001 and to such other Town officers and employees as may be compelled, by state or federal law or regulation, to perform duties related to the terrorist attacks of September 11, 2001, and performing ordered military duty during such additional period, which duty is not a part of regular reservist duties, shall receive from the Town a salary equal to the difference, if any, between the officer's or employee's Town salary and the salary paid to him or her for the performance of such ordered military duty. Payment of the salary differential shall not exceed a total of six months with respect to each eligible officer or employee. The term salary shall include only the officer's or employee's basic salary plus longevity. Ordered military duty shall not include duty for which the officer or employee volunteered, and be it further

RESOLVED, that during the time an eligible officer or employee is receiving the salary differential provided hereunder, said officer or employee shall also receive continued health, dental and vision coverage, and be it further

RESOLVED, that anything not specifically provided for in this Resolution shall be covered by applicable collective bargaining agreements, applicable legislation, or personnel rules as they may apply. Leave shall not accrue during the absence. Retirement System contributions shall continue subject to the provisions of law.

This Resolution shall take effect immediately and shall expire six (6) months thereafter, but shall be subject to renewal or continuation by Act, and shall be retroactive to include any members of the Ready Reserve ordered to active military duty pursuant to Executive Order 13223 or any Town officer or employee compelled by state or federal law or regulation to perform duties related to the terrorist attacks of September 11, 2001.

On roll call the vote was as follows:

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

\*\*\*\*\*

There being no further business to come before the Town Board and no one further wishing to be heard, on motion of Co. Maloney seconded by Co. Smith and unanimously adopted, the Town Board Meeting was declared closed, time: 10:55 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/2001

8:25 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

RE: Chapter 216 Proceeding (Property Maintenance) Mwaniki, 290 Phillips Hill Road

On motion of Councilman Maloney, seconded by Councilwoman Lasker and unanimously adopted, the public hearing was declared open.

Mr. Costa, Town Attorney, stated that the property was posted and the property owner was mailed, as required by law, notice of this Chapter 216. We have the receipt showing that the property owner had received notice of this Chapter 216. We have a report in the file from Joel J. Epstein, Code Enforcement Officer dated today indicating he made a personal inspection of the property and as of this afternoon there was no change on the site. The condition complained of in the Town Board notice remains unchanged. Mr. Epstein also reports that the property owner did acknowledge receipt of notice, is aware of the public hearing and indicated to Mr. Epstein that she would not participate in tonight's public hearing.

Supervisor asked if there was anyone wishing to ask a question or make a comment.

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 ADOPTED, time: 8:27 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk

(RESOLUTION NO. (804-2001) ADOPTED

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

10/23/2001

8:29 P.M.

Present: Supervisor Holbrook  
Council Members Lasker, Maloney, Mandia & Smith  
John Costa, Town Attorney  
Patricia Sheridan, Town Clerk

Re: Proposed Local Law: Golden Age Single Family Residence District (GARS)

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

Supervisor Holbrook asked John Costa, Town Attorney if he had any Planning Board reports from the County or the Town Planning Boards.. He indicated that he received a report from the Town Planning Board dated October 18, 2001 indicating that following up on the Town Board resolution, the Planning Board has made the required referrals and the Planning Board is acting as lead agency for the Town Board. They have advised that they have scheduled their environmental quality review procedures to commence on November 14, 2001. Supvr. Holbrook: asked is there was anything from the County Commissioner of Planning at this point. John Costa said, they have not had enough time to respond.

Supervisor Holbrook: We will hear anyone who wishes to speak relative to this tonight. This will have to be continued at a later date. We cannot vote on the affirmative without a SEQRA and without a report from the County Planning Board. Supervisor asked if anyone would like to ask a question or make a comment.

Appearance: Shirley Thorman, Former member of the Town Planning Board  
Valley Cottage, NY

I spent about an hour and a half in the Planning Board Office going through the file and these question came to the floor. Does the present zoning code allow for a special permit permitting housing in an LIO or M zone? Mr. Geneslaw: replied no. Ms. Thorman asked, has a SEQRA study been done? We are having a public hearing on the proposal. There were two different copies of the proposed local law. Which is the official one? One had height constraints of 20' and the other had height constraints of 35'. The prices that were laid out and the applications said anywhere from \$210,000 to \$240,000 per unit and that in my book is not affordable. The statistics said that 20% of the population of Clarkstown is senior citizens. She did not find any statistics as to the financial status of these people, whether these people can afford these homes or whether there were people coming from other areas who would purchase it. There was one letter that a member of the Board sent out. She did not get one. Her neighbors did not receive the letter either. Were those letters sent out on Town stationery and on Town funds? If they are, how was the address list established? Supvr. Holbrook said his office did not send out a letter.. There was a letter sent out as part of their constituent service.

Appearance: Ms. Rothman:

The letterhead of the Town of Clarkstown was at the top of the letter. Her suggestion is that they create a fact finding committee to explore the housing needs in the Town of Clarkstown. The committee should be deliberate, reflective and consider the other 80% of Clarkstown's population. We have a comprehensive plan in place and as you know, it was two years in the making. A lot of people worked long and hard. I want to commend the Planning Board, the people who came out and provided information, and the Ad Hoc Committee. According to Terry Rice, an attorney from Suffern, once a comprehensive plan is in place, it should not be changed without serious attention and deliberation. I would like to see the Town Board stand by its own document. Thank you.

Appearance            Bill McCue  
                              - New City

I represent Coalition 55. As president, I would like to speak to you regarding some of my contemporaries who live here in the County and Clarkstown. We have three and four bedroom homes and a lot of tax dollars. It is very difficult for a lot of these fellows to make ends meet with this high tax rate. I would like to see some downsize housing for senior citizens and Coalition 55 and over. Those that are younger will sooner or later make that 55 mark. I met with Don Tracy and asked him if he could write an ordinance concerning the availability of housing for people such as himself. We are not sunbelt people. We do not golf. We don't play tennis. We enjoy our lives day to day and would like a respectable place to live, without a lot of taxes.

Appearance:            Don Tracy, Esq.  
                              22 Georgetown Oval, New City

I have lived in Clarkstown for 41 years. I am a senior. I admire tonight the way we paid attention to our youngsters and the way we gave them credit. Our seniors are deserving of the same. The first thing that needs to be done is an explanation of what this law is and what it isn't. This law is not a specific project planned at this time. This law is not intended for placement in a residential zone. This law is a taxpayer. This law is not something that is going to affect in any way our school district. What this law provides is basically patio type housing to prevent the migration of empty nesters elsewhere and to provide downsize living accommodations in detached one family residences. It is not multiple family. I looked at the master plan and saw that the plan excluded multiple family residences. They had a strict prohibition that there would be no multiple family residences. I drafted a project that would provide downsize living accommodations. No place in this law does it say affordable. The price of these units is a function of the price of the land, and the size of the unit. Obviously, one of the speakers who read the law, read it with a jaundice eye, the revised law limits the height of these units to 20'. No bigger. In the GARS district as proposed, nothing is permitted other than detached single family dwelling units. Accessory units, such as gate houses, facilities for maintenance, administration, off street parking, utility systems and recreational facilities. This limited to persons who are 55 years or over and their spouses, regardless of their age. In the Golden Age residence district, no construction is permitted except after granting of a special permit, by the Town Board, after a public hearing, and site plan review by the Planning Board. The argument that this will displace our tax rate is ferocious for the reason that it does not take a single use away from the LIO, M or LO zones. What it does is it adds a use. A special permit use of the Town Board, so that anyone seeking to implement one of these projects would have to come to the Town Board and at a public hearing and make a case that the Town Board would find to be good for the public health, safety, and welfare of the Town. With regards to the grades and the slopes that are permitted, with regards to the housing amenities, and the local law complies with chapter 657 concerning discrimination and housing in that it takes advantage of exemption that HUD has provided for people 55 and older as well as chapter 657 of the executive law of the State of NY which provides the same exemption. In short, it's a place where the empty nester can move into downsize housing and be in a project and development that is shared by his contemporaries. It is a place that will be secure and safe for the seniors and it would be a place where price would depend upon the amenities, the cost of land and construction, and bells and whistles. It is conceivable to me that some units could be built in the \$160,000 - \$180,000 category. Other units could be built from \$210,000 - \$250,000. That will depend upon the project. The Town Board and the Special Permit Application can no doubt attract from the developer his pricing schedules before they approve such things. In short, we have nothing like this in the Town of Clarkstown. We have no place for our seniors to go and we are losing them in great numbers. Weekly, seniors come into my office and tell me they are moving south because they do not want to keep up the four bedroom house or pay the taxes. They want to be near the grandkids but they do not want to move in with them. I submit that over a period of a year and a half in doing a master plan and this law was submitted in a different form to the Planning Board on February 5, 2000, no attention has been paid by anyone to the seniors. I was gratified when a majority of this Town Board sat down

10/23/2001

and said, "lets take this law and lets have a public hearing on it and lets see who comes in and lets see if it is something that the people really want." We are not here to prove a project. We are here hopefully to do something for the seniors. Since I am the one who drafted this law, anyone who needs to question me on it since no one else knows too much about it, I would be happy to have those questions through you. In closing, this Town Board passed a resolution to forward this matter to the Planning Board and set a public hearing on October 23, 2001 and to commend SEQRA. On October 18, 2001 SEQRA was commenced. As of Friday, the matter had not been referred to the County. Therefore, there can be no vote on that. In the notice of publication, I understand the notice was directed toward the first draft of the law submitted and not the revised draft. Not only would this public hearing continued, but it would also have to be renoticed for hearing.

Councilman Maloney: Will this proposed law affect residential areas in anyway?

Mr. Tracy: This law is intended to be implemented by special permit in the LIO, M. or LO district subject to the approval of that special permit. It is not as presently written able to be placed in a residential zone.

Co. Maloney: As presently written, the Planning Board will be looking at this and may send it back to us entirely changed with modifications and so forth. Is that correct?

Mr. Tracy: I would assume that my purpose on behalf of the 55 and over coalition and others is to stimulate thought, put something on the table, and hope something comes out that will enable our seniors to remain in town.

Co. Lasker: At the August 29<sup>th</sup> TAC meeting, Mr. Tracy stated that these units would cost between \$210,000 - \$240,000. There was no mention at that time that they would be lower than that. There are three versions of this proposed law. Only the first was sent to the Planning Board. I don't know why there are two other versions floating around.

Mr. Tracy: It was not me that said that at the TAC Committee meeting. That statement was made by a developer named Brodsky.

Co. Lasker: The Planning Board understood that the price would be between \$210,000 \$240,000. You are now changing that now to \$160,000 - \$180,000. Is that correct? Mr. Tracy: No I am not.

Co. Lasker: Well you are saying that it could go down as low as \$160,000.

Mr. Tracy: What I am saying is that the price is a function of the cost of the land, the size of the house, and the bells and whistles of what the person wants in the house. For instance, a person owning land, having a project like this and building a 1250 slab house should be able to sell that house for \$160,000. A more affluent senior that comes in saying I want a 1700 square foot house, a basement, a sky lights, etc. is probably going to pay between \$210,000 and \$250,000. You can't sit and say that this is what it is going to cost until you know where it is and what it is.

Co. Lasker: It seems misleading because you seem to be telling people that this is affordable housing. It either is or it is not. Mr. Tracy: If you read the law you will see affordable no place. You will see downsize housing and I resent the inference that there is any attempt to mislead anybody. The point is that we want to put this before the Board. We want to stimulate some thought where apparently no thought has been given. Three enlightened members of this Board encouraged us to do so. Co. Lasker: So in other words, I am not enlightened. Thank you.

Appearance: Seymour Whitner  
Congers, NY

I have a question for Mr. Tracy. With all the research that was done, I would like to know what is the minimum number to be built in a particular section to make this practical for a builder to entertain.

Mr. Tracy: There has been no research done on the minimum number of units, however, it does prescribe a minimum number of acreage. A minimum number of units in these projects depending upon the size of the house. As this law is written, that would be between 4 and 7 units per acre. Statistics show that there are 16,600 senior citizens residing in the Town of Clarkstown at the present time. All of them vote.

Appearance: Joe Hannas  
New City, NY

Did I hear this house grow from 1200 - 1700? Mr. Tracy replied, when I answered the question, I did not set a size on the house. I said a size of a house could be 1250' slab for an affordable situation or a house could be 1700' with bells and whistles.

Mr. Hannas: I don't want any bells or whistles. I saw it in the paper as 1200 square feet, now it keeps growing.

Supvr. Holbrook: There were a variety of different styles. I think that is what Mr. Tracy was trying to say.

Mr. Hannas: So how much is the maximum? How big does the house grow?

Mr. Tracy: As long as it is occupied by a person over 55 years of age and their spouse, it could be 2000 square feet. If it is 2000 square feet, you are not going to get more than one or two per acre.

Mr. Hannas: How can you guarantee that there will never be children in this house later on when they can't sell these houses (bad market)?

Mr. Tracy: The home owners association regulates the use of the house. Conceivably a 55 year old guy like you could marry a 25 year old woman.

Appearance: Cora Bodkin  
New City

The purpose of the Golden Age Single Family Residential District or GARS is to provide affordable housing for people age 55 and over, to prevent the migration of "empty nesters" without impact on the school system. As a Clarkstown resident for 33 years, over the age of 55, and an "empty nester", I have great interest in this proposed local law. In the original 1 B in the second or third copy 1 C of the draft which I received from the Town Clerk's office, it seems to indicate that applications for area variances for GARS would not be heard by the Zoning Board of Appeals. The Zoning Board of Appeals has specific standards that are set by the State of New York by which to make determinations regarding requests for area variances. This proposed law takes away the normal power of the Zoning Board of Appeals to determine whether or not to grant an area variance. Instead, the power is granted to the Planning Board. Two problems come to mind. First, the proposed law does not specify the standards to be employed by the Planning Board. Secondly, the intent of this change from the normal procedure is for and I quote "to review proposals in a timely manner". This hastened process would eliminate the expertise of the Board of Appeals and substitute a fast resolution over a more measured and comprehensive review. According to the draft, a Special Permit for the GARS District would be limited to the LIO zone. The GARS District would allow a much more intensive use of the land. The LIO Zone allows a Floor Area Ratio of .40. What that means is that a one story building could cover 40% of the land. A two story building, could have a "footprint" covering only 20% of the land. Each floor of 20% multiplied by 2 would add up to .40 FAR. If the building were four stories high, each floor could cover 10% of the land for the same floor area ratio of .40. Yet the standard for GARS is quite different and much more intensive. The standard is not expressed as Floor Area Ratio. The standard for GARS is called "Building Area: Lot coverage for all buildings shall not exceed 40% without regard to the number or stories of the structure. For example, if the structures are two stories high and cover 40% of the lot, the Floor Area Ratio would be .80, clearly four times the FAR allowed for a two story building in LIO which would be only .20. Another criteria specified in 3G is for one parking space for each dwelling unit for off street parking. Many of the dwelling units would be occupied by two drivers, each with a car. A development designated for people as young as 55 should allow for two spaces per unit. All other residential zones require one parking space per half a dwelling unit, including garden apartments, condos and rental units. This zone should conform to the same parking standard. Allowing for 40% of the land for buildings and much of the rest of the area blacktopped for parking and ingress

and egress would be environmentally unsound. Our Town has suffered from drainage problems and such intensive land use would exacerbate existing drainage problems because of runoff from impervious building structures and pavement. In short, this proposal allows for much more intensive development of LIO parcels than currently permitted with reduced oversight from normal Town procedures requiring the ZBA to hear variance applications. The Town Board should not vote on this proposed local law tonight. This bill deviates from the standard procedures and serves the interests of developers more than the interests of our residents. There should be input from the Planning Board and Ad Hoc Committee on whether this proposed law fulfills the goals of the Town's comprehensive Plan and a full environmental review under SEQA should be completed before any further action is taken. I also support Shirley Thorman's idea of having a fact finding committee to research housing needs of all people of all ages in Clarkstown. I was at the TAC meeting in August at which Mr. Tracy seemed to be representing developer Mr. Brodsky. The developer had floor plans for houses and I believe it was for a particular parcel, contrary to what Mr. Tracy said here today.

Appearance: Seymour Chinsky  
Congers

Has anyone given any consideration to the concept of the taxpayer? Mr. Tracy mentioned taxpayer. What does he mean by that? I don't know.

Mr. Tracy: A taxpayer in zoning parlor is a mixed use, where you have retail down below and residential up above. This would not be able to be placed in this type of zone. When I spoke of taxpayer, I meant that these are not subsidized and each owner of one of these dwellings would be a taxpayer. However, I think that the Town should also explore what you just talked about.

Appearance: Gerry O'Rourke, President of Congers Civic Association  
Congers

I was a member of the Citizens Ad Hoc Committee that worked on the comprehensive plan for the Town. I certainly agree there is a need for senior housing. I am in favor of it, but the issue before us tonight is where to locate such housing. The comprehensive plan was passed unanimously by this very Board in 1999 and the Committee and Planning Board labored over this question for better than two years. We were fortunate to have the professional assistance of Mr. Geneslaw and the independent objectivity of the entire Planning Board and Citizens. Included in the approved comprehensive plan was a mission statement to provide zoning that will help economic development opportunities to meet the occupational needs of the Town's residents. The final version of the plans included an overlay zone which was applied to the existing zoning to allow for smaller scale buildings in the currently zoned LIO and LO areas to encourage such economic development. Having participated in much of this discussion, I wish to remind the Board and the public of certain facts. In 1999 I attended a meeting scheduled by the Planning Board specifically for the business community and at that meeting we heard from the Orange & Rockland Director of Economic Development who stated verbally and in a written letter that preserving the land currently zoned for business purposes is very much essential to the Town's tax base and that the commercial tax base was very important to meet demand for Town services. At the same meeting, we heard from the rep. of Rockland Economic Development Corp. that cited a study done for them by an outside consulting group that brought back a report stating that the number one weakness in our area is the limited availability of sites to support future economic growth and development. Given these facts, the specific topic of senior citizen housing was the subject of much discussion with the entire group of 12, including sessions, which dealt only with this matter and during which we heard from experts in this field as well as the community at large. Back in March of this year, a resolution was passed by our group covering the independent living congregate housing for senior citizens dealing essentially with the same issue as before us tonight. When I compared what has been submitted versus what our group approved, I find many stark differences: First we recommended that such housing be placed in what I would consider appropriate residential settings - and with a plan for the true integrity of a residential setting. To be more specific here are a few of the differences: First main issues is we said 5 units per acre - this states 10 A

KEY issue. granted a 50 % bonus in terms of the number of units that could be built if the developer would include verifiable – I stress verifiable affordable housing to moderate income residents and we went on to detail the requirements so that affordable would not just be a word on paper or be generalized so as to permit non-compliance. There is no such provision in this plan. In fact when I visited the Planning Board office after learning about this plan to review this file, I noted some notes on a meeting held at the TAC Committee where prices of \$210,000 to \$240,000 were indicated. I doubt this would qualify as “affordable” and wonder if those who spoke in favor of this tonight realize this density: The square footage of the units in this recommendation is 50% greater than we suggested and with twice as many units per acre. Setback we stated very clear 150 minimums setback – this one 25ft. 1/6<sup>th</sup> in my calculations. Buffers – we required 100 ft. min – this one 25 ft, -- In LIO - so this could conceivably place seniors living next to a plant only 25ft from them. I would not call this appropriate. Our plan required the project to adhere to existing other zoning regs. Not this one. It seems to indicate an advance blank check to permit override for whatever might be in the way. Wholesale non-compliance. I wonder Why? We included numerous other restrictions such as property must be in single ownership and non-assembled – again to prevent abuse and stretching of the rules, and with 106 maximum units per site. This one clearly states no limitation on maximum acreage. Area ratio of buildings – we stated 20% this one 40% t. Even parking allowances are compromised here – instead of 1.5 spaces per unit for smaller units we now read of 1 per unit with the units 50% larger one wonders about this as well. I could go on and on. We proposed restrictive covenants to insure against and to prevent abuse and control to insure there be no disregard of the regs. In conclusion, the re-zoning of industrial and commercial land in this context is counter to just about every planning concept one could cite. It runs completely counter to the very advertisements you yourselves have placed in the local press touting economic development oppty. in Clarkstown. This particular plan instead is nothing more than an end run around the comprehensive plan – to me it is classic SPECIAL INTEREST Legislation – nothing more than a disguised down zoning for multi family MF-2 in which we will all be short changed with perhaps one exception – the ones promoting this plan. Instead of this travesty which makes a mockery of your own approved comprehensive plan, I would prefer to see the Town Board enact the plan, along the lines of the already drafted one, which has been before you for months, tweek if you must – but maintain its integrity and as an additional suggestion let’s use some creativity, to prevent our good citizens who have lived in their house and paid their taxes over the years and grant a property tax reduction on their town taxes over the years – Based on the longevity they have had their homes – Give them a break!! In other words begin the plan at 20 or 25 years tenure, then gradually increase it each year. The older the residents gets and the longer in the house the greater reduction. What better way to really help seniors fight inflation. When coupled with the NY State’s Star reduction for school tax, this would enable those seniors to have the real option of staying in their own home. I’ll bet if you polled all the seniors in Town on this idea, and not just the selected group that received Mr. Maloney’s letter on this plan, you will look at this differently.

Appearance: Frank Hackett  
Valley Cottage

I find it interesting that Mr. Tracy is the one to say that this is not considered affordable housing. There is a belief that by having GARS, it would not have an impact on our schools and our services. Who is going to inhabit our homes that the seniors leave in our community. Most likely it is going to be young families. Young families with children who are going to put an additional burden on our schools. The real problem facing people over 55 and especially upon retirement is the difficulty with paying the high cost of real estate taxes in our community. Recently, Mr. Maloney at a debate said our taxes might be going up next year, partly because the cost of services demanded by the citizens and the drop in tax revenues we are seeing. Seniors on fixed income cannot afford to live in a community whose Town Board finds it easier to raise taxes rather than hold the budget on spending to the available revenue stream. The property suggested for GARS district is LIO. We should be looking for new ways of developing this property to meet the growing needs of businesses to locate outside of New York City and bring much needed improved employment opportunities to Clarkstown. We are faced with a proposal which will increase the density of housing, bring additional traffic, and

additional burden to the community. Our community has spoken out in the past for the need to stop over development. By voting for the open space referendum and participating in the drafting of the comprehensive plan, we should acknowledge that this proposal is in direct conflict with the open space initiative and the comprehensive plan. Continuing down the path here is one of limited vision which will benefit special interests. Please do not follow the proposed short sided path. Show some vision, seek a solution which truly addresses the problem. Find a way to reduce the burden of taxes on our retired community. Bring new and better jobs into Clarkstown and reduce the cost of government in meeting the needs of the taxpayer.

Appearance: Gene Olson  
New City

I am a resident here for 35 years. I am 67 years old. I live in a house which has 4 bedrooms and if sold I can afford one of these houses that is proposed. I'd like to answer some of the speaker's erroneous information. My understanding is that the houses are 2 story houses. It is a one family, no stairs, no basement unless you want one. I have 4 children and 5 grandchildren. Currently my children are only 1/2 hour away. I do not want to move to Florida, South Carolina, or any of the other areas that successfully have these programs. In New Jersey, the problem is they are lovely houses, lovely settings, but they are 2 hours away. Many of you on the Board are either 55 or fast approaching. There are a lot of buildings on 303 that can't get residents. The speaker before me said that when I move out, people with children may move in. If I move to South Carolina that is not going to be any different. We have been a resource and we have voted for most of the people who are on this Board for 35 years. In your deliberations, I suggest you consider people in my position.

Appearance: Martin Bernstein  
New City

I've lived in New City for 45 years. I've watched a lot of things happening in this County and Town. Way back in 1964/1965, we started a master plan and we suggested concentric zoning. We would have hard density in the center of the hamlets and as we went out, we would have lower density, so that we would have open space. Unfortunately, it did not happen that way. Today the Journal News ran an editorial in which 90% - 100% of what he said - I'm in agreement with. He pointed out that we need open space and the Town of Clarkstown passed a referendum to buy open space. He suggested that we keep as much open space as possible and secondly that there is a need for senior housing. Senior housing is for people over 65. Not 55. I was on the Ad Hoc Committee. We spent 2 years working on a comprehensive plan and analyzed all these various issues. I remember Mr. Tracy telling us about patio homes. That is what got the Town Board to send this resolution to the Planning Board to look into. That recommendation is a little different than what we have today. He remembers Mr. Tracy saying that the homes would be no more than 1200 square feet. He also said that they would be one story. Now they went from 35' high to 20' high. Twenty feet is a two story building. There is a great need for housing for 65 and over. There is a need for some people to sell their home and live in a small unit. The question is what do we use for that and how much do we use of it. Do we want to fill in the open space in the Town with this kind of housing? Mr. Tracy said that it should be in the LIO zone, not in a residential zone. The fact is that if we do that there is another problem. We are going to do away with land that should be used for reducing our taxes by having industrial and commercial development. That is a serious problem. I would like to see this particular recommendation or this proposal go back to the original Planning Board and Ad Hoc Committee to really look into this deeply. Gather more statistics. Find out if there is a way that we can compromise. It should be in the downtown areas so these people can walk to shopping and walk to transportation. This is what is needed. This is proper planning. What you are proposing is not what Mr. Tracy originally discussed. The other question is the number of units that were discussed. If we are going to have high density, then what is the use of us trying to get open space? We would like to keep as much open space as possible. We would like to try to find some compromise and we would like to use land that may be redeveloped. I think what Mr. Gunther wrote today is one of the best reports that I have read thus far.

Appearance: Mr. Lodico  
New City

I'd like to digress a moment in regard to a previous comment made about letters sent by a member of this Board. Any Councilperson has the right, the privilege and should be commended for writing to his constituencies, and even with the stationery of the Town. However, if it is used at Town expense that is another matter. Back to the issue of housing. You guys are revising what Congers had done 90 years ago. Remember that plan? We had 40' lots. You are creating quarter acre zoning now. Think about it. As an innovator and a mover for the Commercial/Industrial Development Committee which was very successful in our early years, I did serve with John Maloney, who took over that project, the goal was to bring into this Town ratables that would reduce our taxes in spite of what people say. Maybe the fault of the Board is being too lenient on the raises that come down the line for the employees. We may want to think about what we give away in salaries, benefits and the rest. That reduces taxes. Anyone that is in government today has the best thing going for them. You have everything covered from womb to tomb in your benefits, so think about that in your raises. When you are thinking about taking this out of our commercial bank, putting this in an LIO zone - I'm for housing, I'm for seniors, I would like to say affordable housing is a misnomer. Affordable housing is affordable to those that can afford it. A lot of people can't. What your creating is a greater density. By removing LIO, LO or manufacturing, which is our highest tax paying area, I think shame on you. It doesn't belong in those areas. Plus, you want to think in terms of when senior citizen concept was developed in this Town. I happen to be the first person in Rockland County in 1963 to bring in senior citizen housing. Unless it is subsidized, there is no such thing as affordable housing. Section 8 is dead until someone else revives it. I'd be careful about giving us our commercial property and as far as you ladies under 40, I think you have the right to write to whoever you want, but don't use my money.

Appearance: Mike Reilly  
Nanuet

Ms. Thorman, while you spoke I pulled the demographics from the County sheet. We are 23.8% of Clarkstown residents that are over 55 years of age. Martin brought up the Rockland Journal News and how they did such a wonderful job today. Some of us have long memories. They did a whole year series on the graying of Rockland in 1996. The headlines read - Rapidly Growing Old - Rockland is aging at a faster rate than any other County in New York. They were promoting questions and solutions at the time. They were advocating small starter homes for the young and the seniors. I'd also bring up a publication - Rockland County Consolidated Plan - 2000 - 2004, from the office of Community Development. "Critical housing issues - Senior Housing - Senior citizens are a subgroup of the population that is a high housing cost burden. While the counties housing stock includes 350 independent senior apartment units, 300 beds in adult homes, 1600 nursing beds...residents age 55 years and older accounted for 20% of the population in 1990 or 53,487. This age group accounted for 19% of the population in 1996. A loss of 3,334 people. For persons age 65 and above there was also a decline from 26,000...What these numbers can indicate is that whereas the 10 year chart age 55-65 is approximately equal in size to the entire 65 and over population, these persons between the ages of 55 and 65 are not choosing to remain in the County...as they increase in age, due to a lack of attractive or affordable housing options." The Journal News did a feature article April 2000 - Communities Growing for Retirees Who Want to Stay Close To Home - Retirees flock Sun City of the North. Its about the Dell Web developer that we see all around New Jersey, but now they are building closer and this one references Chicago, Philadelphia, outside of NY etc. The Empire State Foundation, a policy research organization, on August 1991 put out a similar release based on census estimate. NY has lost more people to domestic migration than any other state since 1990, relative to its population at the start of the decade. From 1992-1997 Rockland received 43,000 new taxpayer households and 50,000 left the County. A loss to Rockland of 7,093. Every state in the nation gained tax paying household at NY expense led by Florida...attracting 1 out of 5 immigrants from NY. He continued to read various statistics regarding how households are leaving NY and how we have more open space

then the national standard. He is an empty nesters, he is looking at his housing options, we've got the 4 bedroom colonial. There are many people here looking at the same housing options.

Appearance: George Nugent  
Valley Cottage

I am a 37 year resident of Valley Cottage. The former President of the Valley Cottage Civic Association, and currently a candidate for the Town Board. We're taking here tonight about an individual who comes forward with a plan that will create a bungalow colony where the individual who owns that land, or develops it, will make a wind fall profit and then leave the rest to the taxpayers. Many of you voted for the Golf Course and regretted it. Many voted for Mountain Shadows and regretted it. I ask that you give careful consideration to this and instead of being a messenger boy to special interests that you conduct yourself in a proper fashion, with integrity, and knowledge.

Appearance: Richard Garashoe  
New City

I've been living in New City for 29 years. I would like to ask the Town Board one question. If communities like Toms River, New Jersey and other communities in the southern part of New Jersey can develop communities for 55 and over people, and do it with a well planned and defined plan of operation, why can't the Town of Clarkstown do something for the seniors. I have 4 grandchildren who live within 35 miles of me. It is a convenience spot. I love to hop into Manhattan. I love to go to the theater, the opera. This is a beautiful location. It is a prime spot. I do not want to lose it. I am now living in my 4 bedroom home. It has stairs. In another 10-15 years, I will not be able to make those stairs anymore. I need a one level home. Not a big one (2-3 bedrooms tops). We don't need a lot of space. Please consider that.

Appearance: Carol Jigarjian  
New City

I'm all for senior housing. I think it is a great idea. Is there a place in the master plan for senior housing? In the master plan for LIO there should be LIO. I have to ask if you start deviating so early from the master plan, what will be next? Every time someone has a piece of property they want to get rid of and they find they will get more money if they sell it for residence versus office, are we going to deviate from the plan and let them do as they please? The issue of taxes – what about the people who move into these 4 bedroom houses. They have children. If we need to build a new school or add on to schools, taxes will go up. Taxes will also go up for the senior citizens who live in GARS. We need to think about all of this.

Appearance: Edward Graybow  
New City

I want to compliment this Board for taking the initiative to place this matter before the public this evening. This is what must be done if we are to move together as a community. Americans over the age of 55 constitute the fastest growing population in the U.S. It is estimated that this population will double in 10 years. We are not asking to change the zoning of residential communities but provide an alternate methodology for highest density commercial use property. GARS in conceptual thinking, is allowing us to provide something different in terms of an LIO zone. This is needed. We have an opportunity to do something unique. We can keep those senior citizens who want a choice in our community. The concern is how many units. That is up for the planners to discuss, formulate, and come up with an alternative. We are looking at whether senior citizens have a right to live in this community. Take that advice. Allow them to live productively in smaller homes if that what they desire.

Appearance: Maria Jansen  
Congers

I believe the original plan that was posted in the newspaper had a minimum acreage of 15. This plan is only 5 acres. I have a degree in architecture and I can design housing. A 1200 square house would be a very generous 2 bedroom house. That is what we are aiming out. In this plan, I think the seniors want a one story building. This is a 2 story plan. If it were over 1200 square feet, it would be a 3 or 4 bedroom house. It would be more like a single family home with a younger family. We do have requirements for single family homes which are more stringent than what was presented here today. In this proposal there is a 10' side yard regulation. This is small. This has a much denser property. It was quadruple the floor area. Mr. Tracy defined what land banking is. Where you don't have specific parking, but you set aside an area where parking can be installed. You put the land in the bank so if you need the parking, you can then be required to install it. That is a future requirement. Ms. Jansen continued to analyze the plans. She gave some comments on square footage, design, and grade level. Also, she mentioned that we should not take money in lieu of land. Open space is what we want.

Appearance: Joe Schleimer  
New City

We just went through a process of a master plan. Why are we trying to change it so quickly. It's important to have different zones. This is the future. What happened in NY will be driving a lot of businesses out of New York. They want to relocate in communities like ours. People who travel to NY want to stay here if they can. I am all for senior housing. I believe I want to stay in my own home. Clarkstown is a great place to live, but I want it to remain a great place to live. The master plan contains a place for senior housing. Everyone should read the editorial in the Journal News. Seniors need tax relief. That is the thing we should give them.

Appearance: Oscar Terry  
New City

I've lived here for 43 years. I've been a taxpayer, worked to pay for my house and I don't know if I would sell my house to move into a senior complex. I'm satisfied. Were talking about a lot of seniors going south and I come from the south. I am not going back. A lot of them are moving because it is warm. I love NY because of the 4 seasons. A few years ago I spoke before the Board regarding the master plan. Your spending millions of dollars to look into it and have committees. My question back then was - are you going to live up to it or are you going to go back to business as usual? I was told there would be no special permits, no down zoning, unless the Town Board passes on it. If this law goes through now, you might as well throw the master plan out. All of that tax dollars? Where does it go? Keep the master plan. We elected you to carry out what we want, not what you want. Think about this.

Appearance: David Mandel  
New City

I want to address my comments to Mr. Holbrook and Ms. Lasker. Integrity and responsibility. It's amazing that after we had this master plan, we can sit here and listen to the man who brought us the mall. Talk to us about what's now good in whatever zone were talking about and how we should downzone for the benefit of the community. How can he be given such credit after the experience we've had. Levels, height, obstruct view and, of course, we got the mall, courtesy of this gentlemen. This is absurd. There are two members of this Board who represent the real interest of the people who live here. Hopefully someday the Board will truly represent the good intentions of the public. I hardly expect that will happen as a result of what was discussed tonight. The interest of the developers will win out 3-2 as they usually do.

Appearance: Ted Dusanenko  
Valley Cottage

There are good people here. Regardless of what side you are addressing. We know the public hearing is for the wrong version of what might be considered. There may be several versions of this in the months or years to come. However, the need and the respect that we have to show both our senior citizens and the youngsters is still a prevailing problem no matter what. We have to have cooperation. We can't call each other names. We can't say this one has a vision, this one doesn't .if we are going to work together in harmony to make this the best town in the world to live in, rather than just the best town in the state. Earlier this evening, each elected officials was invited to the New City Chamber of Commerce at a gathering. They wanted to hear from us. I was proud of Mr. Holbrook tonight. For many years I've been begging and urging others about the benefits of mixed use. Where you have commercial properties now in down town – many people are not going to take ½ million, ¾ million dollar buildings and put nice decorated fascia to match the new street lights, brick sidewalks, handicap cuts with no extra provisions for parking. The only way that is going to happen is if we give these businesses tax incentives. Give senior citizens tax incentives. If we do that, I don't think it is going to work. There is a need for people to put those properties together – like Haverstraw waterfront. Instead of each individual lot, put the shares into a corporation, 25%, 25% etc. .and there may have to be affordable housing in addition to this. This Town has tried to create more parking. Why not underground parking? The concept of changing these zones, and go from lot to lot, instead of postage stamp type planning. He spoke of other cities and how they used their collective resources to make a community that works. If we give tax credit to businesses to make their buildings look nice, and to the seniors, who is left to pay? The struggling middle class with two jobs? If we don't have an answer to respect our old and young to keep young people here .to drag those fire hoses and carry those stretchers, all of us are looking at 3-4 hundred million dollars a year in taxes for paid firefighters. He'd be forced to leave the town that he has been part of for 45 years. We need to come up with answers.

Councilman Maloney: We are here tonight to study a possibility of a new kind of zone. We need to look at every possibility to provide housing for our seniors. There is nothing set in stone. When the Planning Board gets it and looks at it, get input from the County, its going to come back different. I don't like to take anything away from the Zoning Board of Appeals. We need to get your feeling to see if this is the way to go. Years ago we had a Citizen Task Force on housing. I want to reorganize and revitalize the Citizens Task Force on housing, to get the brains of the communities, to look at this whole concept of housing. Why can't we have it? We can if we can come to grips with it. This does not do away with the master plan. It's looking at possibilities. As long as I am here, I am willing to work with people to come up with a plan to keep the citizens here.

Appearance: Warren Peterson  
New City

I've been living here for approximately 45 years. Isn't there a law in this Town if a senior citizen proves hardship, could make his home a two family house if he owns it? His home stays a 2 family only if he lives there and once he moves, it reverts back to a one family?

Supvr. Holbrook answered no. Mr. Geneslaw answered no, no longer.

Councilman Mandia: I'm not interested in how much these are going to cost. We are not in the real estate business. The plan is if we are going to do this, we should develop a site plan that make sense and benefits the Town. Make it attractive, sensible in terms of drainage, front yards, back yards, etc. Whatever yields what that plan affords, then the builder has to decide if he or she can do this at a profit. That's not our concern. It needs to be the best plan for the Town. It is unfair to compare Florida and New Jersey. The land costs there are much lower. Westchester is a better scenario to look at. Heritage Hills in Westchester are a very productive, contributing members of the community. Preserving LIO land. With 22 million dollars, we can't buy all this land. I respect the need to save the industrial land – listen to the owners – one wanted a hotel, one wanted a

transfer station, and LIO factory, the residents didn't want it, we turned it down. We are listening to the people. This is at least worth exploring. We are a long way away from making a decision.

Appearance: Harry Folk  
New City

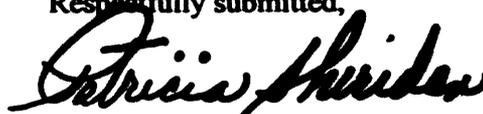
I've only lived here for three years. I am a senior citizen. I moved here from Manhattan to be near my grandchildren. Both my daughters brought homes from people that were moving south. They could get 50-100% more house and land than they could in Bergen County or Westchester. Are you going to really help the seniors of Clarkstown or are you going to become a magnet for senior citizens from Bergen County or Westchester? This Board has an obligation to the senior citizens of Clarkstown.

Councilwoman Lasker: I was an advocate for the master plan, the Planning Board and the Ad Hoc Committee. I worked on it for 2 years. This Board passed it. It is now an obvious attempt to circumvent the master plan. I don't think Mr. Tracy is interested in making money for himself and his clients. There is a proposal for senior housing within a month or two it should come forth to the Board for a vote. It is a good proposal. I agree with Ms. Thorman that there should be a fact finding committee to explore the issue of affordable housing for seniors, young people and volunteers. I don't think it should be an LIO or M zones. I think the master plan has to stay in tact, otherwise you are opening a pandora's box. We need to look at the needs for seniors. I agree their needs are important. This is nothing more than a few landowners. We have to have more vision and have to look into something broader than that.

Supervisor Holbrook: Is there a senior citizen need in Clarkstown or is this a project that will attract others from outside the area to come here? Build it and they will come. I think most seniors in Clarkstown would prefer to live in their own homes. We are going to continue this hearing on November 27, 2001.

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, TO BE CONTINUED time: 10:22 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,  
Town Clerk