

TOWN OF CLARKSTOWN
TOWN BOARD MEETING

Town Hall

4/8/80

8:05 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney
Patricia Sheridan, Town Clerk

Supervisor Dusanenko declared the Town Board Meeting open; assemblage saluted the Flag.

RESOLUTION NO. (277-1980)

AWARDING BID FOR REFUSE
COLLECTION SERVICE (PAT
NAZZARO)

AAE505

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing, the bid for refuse collection service is hereby awarded to:

Pat Nazzaro Disposal
2 Wells Avenue
Congers, New York 10920

<u>SECTION</u>	<u>TOWN LOCATION</u>	<u>TIME PERIOD</u>	<u>BID AWARD AMOUNT</u>
A)	Lake Nanuet Park	Months of May, June, July, August, through Labor Day	@ \$80.00 Month
B)	Congers Lake Park	Months of May, June, July, August, through Labor Day Balance of Year	@ \$80.00 Month @ \$60.00 Month
C)	Germonds Park Complex	Months of May, June, July, August Three (3) Pick-ups per week. Daily Pick-ups (if required)	@ \$80.00 Month @ no additional charge
D)	Central Nyack Community Center	Year Round Pick-ups	@ \$25.00 Month
E)	South Clarkstown Recreation Area	Pick-ups April - November	@ \$10.00 Month
F)	Clarkstown Central Warehouse	Year Round	@ \$25.00 Month
G)	Kings Park, Congers	Pick-ups April - October	@ \$17.00 Month
H)	Twin Ponds Park,	Pick-ups April - October	@ \$ 4.00 Month
I-A	Counseling Center	Pick-ups Year Round	@ \$ 6.00 Month

RESOLUTION NO. (277-1980) Continued

<u>SECTION</u>	<u>TOWN LOCATION</u>	<u>TIME PERIOD</u>	<u>BID AWARD AMOUNT</u>
I-B	Station Square, Congers	Pick-ups Year Round	@ \$ 6.00 Month
J	Street Refuse Container Main Streets New City, Nanuet, Congers	Pick-ups Year Round	@ \$15.00 Mo. (\$5.00 per hamlet)
K)	Town Hall Complex	Pick-ups Year Round	@ \$55.00 Month

Per bid specifications, and be it

FURTHER RESOLVED, that funds for same be charged to accounts:

<u>ACCOUNT</u>	<u>LINE</u>
1620	412
1621	409
4210	412
7140	424
7141	424
7180	424

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (278-1980)

AWARDING BID FOR BUS
TRANSPORTATION
(HARRAN TRANSPORTATION
CO., INC. PETER BREGA, INC.
HUDSON TRANSIT LINES INC.
AND PARKER TOURS, INC.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid for bus transportation is hereby awarded as follows:

PART A - YOUTH BUS TRANSPORTATION

ITEM 1 - Summer Day Camp Swim Routes

Awarded to: Harran Transportation Co., Inc.
16 Hoffman Street
Spring Valley, New York 10977

as per the following schedule:

Woodglen Elementary School	@ \$69.50 per day
Strawtown Elementary School	@ \$69.50 per day
Felix Festa Jr. High School	@ \$69.50 per day
Central Nyack Community Center	@ \$69.50 per day
Additional Bus each day	@ \$69.50 per day

ITEM 2 - ONE DAY TRIPS - LOCAL

Awarded to: Harran Transportation Co., INC.

ITEM 3 - ONE DAY TRIPS - LONG DISTANCE

Awarded to: Harran Transportation Co., Inc.

RESOLUTION NO. (278-1980) Continued

PART B - SENIOR CITIZENS BUS TRANSPORTATION

PART 1 - DAILY TO & FROM MEETING PLACES

Awarded to: Peter Brega, Inc.
Kings Highway
Valley Cottage, New York 10989

at the low bid cost of \$85.00 per route per week.

PART 2 - ONE DAY TRIPS - LOCAL

Awarded to: Harran Transportation Co., Inc.

PART 3 - ONE DAY TRIPS - LONG DISTANCE

Awarded to: A - Lavatory Equipped Coaches
Hudson Transit Lines Inc. (Short Line)
17 Franklin Turnpike
Mahwah, New Jersey 07430

Awarded to: B - Non Lavatory Equipped Coaches
Parker Tours, Inc.
126 North Washington Avenue
Bergenfield, New Jersey 07621

Seconded by Co. Lettre All voted Aye.

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RESOLUTION NO. (279-1980) READVERTISING FOR BIDS FOR
RADIO EQUIPMENT FOR CLARKS-
TOWN FIRE INSPECTOR

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Building Inspector that all bids received for Radio Equipment for the Clarkstown Fire Inspector are hereby rejected, and be it

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

Bid # 16A-1980 - Radio Equipment for the Clarkstown Fire Inspector

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:30 A.M. on Friday, April 18, 1980 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.

Seconded by Co. Longo All voted Aye.

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RESOLUTION NO. (280-1980) REFERRING AMENDMENT TO
ZONING ORDINANCE TO PLANNING
BOARDS OF CLARKSTOWN AND
ROCKLAND COUNTY (AUTO
LAUNDRIES)

Co. Maloney offered the following resolution:

AAE505

RESOLUTION NO. (280-1980) Continued

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

WHEREAS, the Town Board of the Town of Clarkstown is considering an amendment to said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that the following proposed amendment to the Zoning Ordinance be referred to the Planning Board of the Town of Clarkstown and the Rockland County Planning Board for their recommendation and report:

Amend Section 106-10A, Table of General Use Regulations, CS District, Column 3, Section B, by adding Paragraph 5 as follows:

"5. Auto laundries subject to Section 106-16C and shall conform to the following restrictions:

- a. Lot area shall be not less than 20,000 square feet.
- b. Premises shall front on two public streets."

Seconded by Co. Longo

On roll call the vote was as follows:

Supervisor Dusanenko.....	Yes
Councilman Holbrook.....	No
Councilman Lettre.....	Yes
Councilman Longo.....	Yes
Councilman Maloney.....	Yes

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RESOLUTION NO. (281-1980)

AMENDING ZONING ORDINANCE
OF THE TOWN OF CLARKSTOWN
(PROFESSIONAL OFFICES)

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 26th day of February, 1980, provided for a public hearing on the 11th day of March, 1980, at 9:00 P.M., to consider the adoption of the following proposed amendment to the Zoning Ordinance of the Town of Clarkstown, and

WHEREAS, notice of said public hearing was duly published and posted as required by law, and said public hearing was held at the time and place specified in said notice:

NOW, THEREFORE, be it

RESOLVED, that the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended as follows:

Amend Section 106-10 A, Table of General Use Regulations as follows:

ADD to Table 6, RG-1 District, Column 4, Item 14 as follows:

RESOLUTION NO. (281-1980) Continued

- 14. Professional offices of a doctor, psychologist, dentist, chiropractor, lawyer or accountant, engineer or surveyor, provided that the number of such offices in each development shall not exceed 1 for each 25 dwelling units or major fraction thereof.

Seconded by Co. Lettre

On roll call the vote was as follows:

Supervisor Dusanenko.....Yes
 Councilman Holbrook.....No
 Councilman Lettre.....Yes
 Councilman Longo.....Yes
 Councilman Maloney.....Yes

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RESOLUTION NO. (282-1980)

PERMITTING DEPARTMENT OF
TRANSPORTATION TO CONSTRUCT
A FEDERAL-AID-RAIL-HIGHWAY
CROSSING PROGRAM PROJECT
ON ROADS AND HIGHWAYS OF
CLARKSTOWN

Co. Maloney offered the following resolution:

WHEREAS, Resolution No. 184 was adopted February 26, 1980, authorizing the State of New York to make certain repairs, etc., on Town roads, and

WHEREAS, to qualify for assistance from the New York State Department of Transportation, it is necessary to specify those roads and highways which are eligible for such assistance;

NOW, THEREFORE, be it

RESOLVED, that Resolution No. 184 dated February 26, 1980 be amended to read as follows:

WHEREAS, the New York State Department of Transportation has proposed a Rail Highway Crossing Program Project, pursuant to Section 203 of the Federal Safety Act of 1973 as amended by Section 203 of the Federal Highway Safety Act of 1976, and

WHEREAS, the New York State Department of Transportation has notified the Town Board of the Town of Clarkstown of the approval of plans and specifications for such Rail-Highway Crossing Program Project, for the Rail-Highway Crossings which are under the jurisdiction of the Town of Clarkstown, and which project is more completely described as

Gilchrest Road	covered under PIN 507603J
Kings Highway	covered under PIN 507064R
Prospect Street	covered under PIN 263440X

and

WHEREAS, the New York State Department of Transportation has made known its intention to advertise a contract for the above-described improvement and has requested an agreement from the Town Board of the Town of Clarkstown to the effect that it will permit the State,

AAE505

RESOLUTION NO. (282-1980) Continued

its agents and employees to enter upon the highways, roads and/or streets under the jurisdiction of the Town of Clarkstown for the purpose of performing the above-described improvement, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown at a regular meeting held on April 8, 1980, does hereby approve of the above-described improvement to be performed on the highways, roads and/or streets of the Town of Clarkstown and does hereby agree with the State Department of Transportation that the authorities will permit the State, its agents, and employees to enter upon the highways, roads and/or streets of the Town of Clarkstown for the purpose of carrying out the above-described Rail-Highway Crossing Program Project, and be it

FURTHER RESOLVED, that the Town Board of the Town of Clarkstown does hereby agree with the State Department of Transportation that the Town of Clarkstown shall retain jurisdiction over the highways, roads and/or streets within the project area and hold harmless the State of New York for any damage to the property or persons of others due to the performance of any of the employees or agents of the Town of Clarkstown, and be it

FURTHER RESOLVED, that upon completion of the above-described Rail-Highway Crossing Program Project, the Town will maintain the improvement and the highways, roads and/or streets so improved in accordance with the New York State Highway Law and the Federal Highway Safety Acts of 1973, 1976 and 1978 and Federal Standards and Criteria in connection with such project, and be it

FURTHER RESOLVED, that for the Rail-Highway Crossing Program Project, the Town agrees to schedule any highway resurfacing so that it will not obliterate newly painted markings, except as necessitated by emergency situations whereby resurfacing is essential to maintaining proper traffic operations, and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Clarkstown is hereby directed, within ten (10) days after the adoption of this resolution, to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (283-1980)

AUTHORIZING TOWN ATTORNEY TO DEFEND ACTION AGAINST TOWN OF CLARKSTOWN (WAGNER v. ANTHONY D'ANTONI, RECEIVER OF TAXES, TOWN OF CLARKSTOWN)

Co. Longo offered the following resolution:

WHEREAS, an action has been instituted against the Town of Clarkstown entitled as follows:

ANTON G. WAGNER and CHRISTINE WAGNER,

Plaintiffs,

-against-

ANTHONY D'ANTONI, RECEIVER OF TAXES
TOWN OF CLARKSTOWN,

Defendant.

RESOLUTION NO. (283-1980) Continued

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (284-1980)

INCREASING COMPENSATION OF ELECTION INSPECTORS AND DISTRICT CHAIRMEN -(TRANSFER OF FUNDS FROM ACCOUNT NO. 1990-505 TO ACCOUNT NO. A 1450-0114)

AAE505

Co. Longo offered the following resolution:

RESOLVED, that the compensation received by the Election Inspectors be increased from \$30.00 to \$35.00 for registration and primaries and from \$40.00 to \$45.00 for elections, and be it

FURTHER RESOLVED, that the District Chairmen shall receive an additional \$5.00 to their present rate, and be it

FURTHER RESOLVED, that this increase shall be effective as of the September 9, 1980 Primary Day, and be it

FURTHER RESOLVED, that \$12,848 be transferred from Account No. 1990-505 to Account No. A 1450-0114.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (285-1980)

AUTHORIZING PAYMENT OF JUDGMENT AGAINST TOWN OF CLARKSTOWN (LOPES)

Co. Longo offered the following resolution:

WHEREAS, Nicholas F. Lopes and Berenice Lopes obtained a judgment against the Fire Board of Appeals of the Town of Clarkstown, Harold Hyde, Chairman, Robert H. Bowman, Building Inspector and Edward F. Murdock, Fire Inspector, in the sum of \$604.50 on October 25, 1977, representing costs and disbursements incurred by Nicholas F. Lopes and Berenice Lopes in a successful litigation against the Town of Clarkstown, and

WHEREAS, John Lopes, Esq., attorney for the Estate of Nicholas F. Lopes, Decedent, and Berenice Lopes have requested payment of said judgment;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown pay said judgment in the sum of \$604.50, and be it

FURTHER RESOLVED, that the budget be amended by increasing Estimated Revenue Account No. 02-002555.00 and Appropriation Account No. B-1930-505 in the amount of \$604.50, and be it

RESOLUTION NO. (285-1980) Continued

FURTHER RESOLVED, that the Comptroller pay the sum of \$604.50 to Berenice Lopes, the wife and sole distributee of Nicholas F. Lopes, and be it

FURTHER RESOLVED, that the Town Attorney obtain proper satisfaction of said judgment upon delivery of the sum of \$604.50 to Berenice Lopes.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (286-1980)

CLOSING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (LOCAL LAW RE: SAFETY OF MOTOR VEHICLE OPERATION)

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing, time: 8:18 P.M.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (287-1980)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING HAVING BEEN HELD

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 8:22 P.M.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (288-1980)

ADOPTING LOCAL LAW NO. 1-1980 (SAFETY OF MOTOR VEHICLE OPERATION)

Co. Maloney offered the following resolution:

WHEREAS, a proposed local law entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED 'A LOCAL LAW PROVIDING FOR THE SAFETY OF MOTOR VEHICLE OPERATION AND FOR THE REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)'" , was introduced by Councilman Maloney at a Town Board Meeting held on March 11, 1980, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 11th day of March, 1980, directed that a public hearing be held on the 8th day of April, 1980 at 8:15 P.M., to consider the adoption of the local law, and

RESOLUTION NO. (288-1980) Continued

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on March 21, 1980, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and Councilmen at their office at 10 Maple Avenue, New City, New York, on March 11, 1980, and

WHEREAS, a public hearing was held on the 8th day of April, 1980;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1-1980, entitled, "AMENDMENT TO LOCAL LAW NO. 9-1971, AS AMENDED, ENTITLED 'A LOCAL LAW PROVIDING FOR THE SAFETY OF MOTOR VEHICLE OPERATION AND FOR THE REGULATION, MAINTENANCE AND MANAGEMENT OF SAFETY IN PUBLIC PLACES WITH RESPECT TO PARKING, INGRESS AND EGRESS AND SAFETY IN THE UPKEEP OF PLACES ACCESSIBLE TO THE PUBLIC (EXERCISE OF THE POWERS GRANTED TO THE TOWN OF CLARKSTOWN BY ARTICLE 41 OF THE VEHICLE AND TRAFFIC LAW OF THE STATE OF NEW YORK)' " is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for the adoption being as follows:

- Hon. Theodore R. Dusanenko, Supervisor.....Yes
- Councilman John R. Maloney.....Yes
- Councilman Charles E. Holbrook.....Yes
- Councilman Edward Lettre.....Yes
- Councilman Nicholas A. Longo.....Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 26 of the Municipal Home Rule Law.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (289-1980)

ADOPTING AMENDMENT TO
SANITARY LANDFILL RULES
AND REGULATIONS (A115-1A
AND A115-9)

Co. Maloney offered the following resolution:

WHEREAS, a public hearing was held on February 26, 1980, at 8:15 P.M., to consider the adoption of amendments to the Sanitary Landfill Rules and Regulations;

NOW, THEREFORE, be it

RESOLVED, that the following amendments to the Sanitary Landfill Rules and Regulations are hereby adopted and shall become effective on May 1, 1980:

Amend A115-1 A. (1) to read as follows:

(1) 8:00 A.M. to 3:30 P.M., Monday through Friday (passenger vehicles).

Amend A115-1 A. (3) to read as follows:

(3) 8:00 A.M. to 2:00 P.M., Saturdays (passenger vehicles).

Amend A115-5. Fees. by adding sections (2), (3), (4) and (5) which shall read as follows:

AAE505

RESOLUTION NO. (289-1980) Continued

(2) An additional charge by the ton at two dollars and fifty cents (\$2.50) per ton shall be charged for all open vehicles, standard packers, compactor boxes and all containers of any kind whatsoever. The term "compactor box" shall be defined as that type of container joined to a stationary compactor assembly or portable compactor box with hydraulic ram assembly attached.

In the event the weigh scale is inoperable, the charge will be by the cubic yard at a charge of one dollar (\$1.00) per cubic yard.

(3) From vehicles with passenger car registration, resident permit: no fee.

(4) From pick-up trucks, vans and larger trucks a charge by the ton at five dollars (\$5.00) per ton. In the event the scale is inoperable, the charge will be:

Pick-up 1/2 ton commercial \$2.50 minimum
Vans 1/2 ton commercial \$2.50 minimum
Larger trucks (according to size of load) \$10.00 to \$150.00 at the discretion of the Gate Keeper for unlicensed collectors.

(5) Shredding of branches, trees and limbs: two dollars (\$2.00) minimum, based on one-half tone pick-up trucks. Larger vehicles shall be charged at the option of the Director of the Department of Environmental Control or his Agent. The largest size trees accepted for shredding shall be three (3) inches caliper. Larger than three-inch caliper trees shall be cut in lengths not to exceed five (5) feet.

Amend A115-9. Operational regulations to read as follows:

A. The Director of the Department of Environmental Control or his Agent has charge of the project and his direction must be followed. Failure to comply with any direction of the Director or Agent shall result in immediate suspension of sanitary landfill privileges until such direction is complied with. In addition, the violator shall be subject to penalties as set forth in Sec. A115-11. Each such infraction shall constitute a separate violation and in the event that such violation shall continue for a period of more than one (1) day, each day that said violation continues shall be deemed a separate violation subject to the penalties of Sec. A115-11.

B. The Director of the Department of Environmental Control or his Agent will verify that annual and monthly fees for trucks have been paid and that each truck has a decal identification. Upon notification from the Sanitary Landfill Clerk of nonpayment of fees, he shall refuse admittance to the truck involved.

C. The Gatekeeper shall collect fees for single loads at fixed rates, issue receipts therefor and transmit monies collected to the Sanitary Landfill Clerk at the end of each day accompanied by the verified report.

D. The Director of the Department of Environmental Control or his Agent will pack the filled area and cover refuse with an even layer of earth fill at the end of each day.

E. The Director of the Department of Environmental Control or his Agent will maintain a suitable number of rat-feeding stations at all times and use pest control apparatus as required.

RESOLUTION NO. (289-1980) Continued

F. The Director of the Department of Environmental Control or his Agent will maintain a stockpile of earth fill for emergencies.

G. The Director of the Department of Environmental Control or his Agent will secure delivery slips for earth fill delivered, check and verify bills of vendor and transmit the same to the Comptroller. He will notify the Supervisor if earth fill does not meet the specifications of the contract.

H. The Director of the Department of Environmental Control or his Agent will notify the West Nyack Fire Department in the event of fire and when town fire-fighting equipment is ineffective to extinguish the fire.

I. The Director of the Department of Environmental Control or his Agent will endeavor to have a relief operator available for call in the event of vacation or sickness.

J. The Director of the Department of Environmental Control or his Agent will keep machinery clean and lubricated. In the event of a breakdown, he will notify the appropriate repair authority who will arrange for repair.

K. The Director of the Department of Environmental Control or his Agent will keep the entrance area and garage in neat condition.

L. The Director of the Department of Environmental Control or his Agent shall keep the entrance to the premises locked during other than open hours.

M. Temporary permits for use when vehicles break down will be provided by the Landfill Clerk.

N. The Director of the Department of Environmental Control or his Agent shall furnish an inventory of tools and equipment at the end of each calendar year.

O. The Director of the Department of Environmental Control or his Agent will not engage in nor permit others to engage in salvage operations, except upon written instructions from the Town Board.

P. The Director of the Department of Environmental Control or his Agent will notify the Supervisor of any person not complying with these rules.

Q. The Director of the Department of Environmental Control or his Agent will ensure that all open trucks do not uncover the load until at the dumping site.

Seconded by Co. Longo

All voted Aye.

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RESOLUTION NO. (290-1980)

CLOSING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (EXTENSION OF CARPENTERS UNION SPECIAL PERMIT)

Co. Longo offered the following resolution:

AAE505

RESOLUTION NO. (290-1980) Continued

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing, time: 8:30 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (291-1980) RESUMING REGULAR MEETING SCHEDULED PUBLIC HEARING HAVING BEEN HELD

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 8:37 P.M.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (292-1980) GRANTING 12 MONTH EXTENSION OF SPECIAL PERMIT TO UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA FOR SENIOR CITIZEN HOUSING (SQUADRON BOULEVARD)

Co. Longo offered the following resolution:

WHEREAS, United Brotherhood of Carpenters and Joiners of America, Carpenters Union No. 964 has made an application for a 12 month extension of the Special Permit for the erection of Senior Citizen Housing located on the south side of Squadron Boulevard, between North Main Street and N.Y.S. Route 304, in the Hamlet of New City, Town of Clarkstown, State of New York, pursuant to Section 106-31 (5) of the Zoning Ordinance of the Town of Clarkstown, (see attached Schedule "A"), and

WHEREAS, after due notice published and posted a public hearing was held before the Town Board of the Town of Clarkstown on the 8th day of April, 1980, at 8:30 P.M., at the Town Hall, 10 Maple Avenue, New City, New York to consider such application;

NOW, THEREFORE, be it

RESOLVED, that the Special Permit granted to the United Brotherhood of Carpenters and Joiners of America, Carpenters Union No. 964 on November 15, 1978 by Resolution No. 773 be and hereby is extended for 12 months subject to the terms and conditions stated in the Special Permit and subject further to the following conditions:

1. Preference shall be given to Town of Clarkstown residents.
2. The Selection Committee must include a representative named by the Supervisor of the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (293-1980) AMENDING ZONING ORDINANCE OF TOWN OF CLARKSTOWN (BROOKLINE MANOR, INC.)

Co. Longo offered the following resolution:

RESOLUTION NO. (293-1980) Continued

WHEREAS, the Town Board of the Town of Clarkstown by resolution duly adopted on the 26th day of February, 1980, provided for a public hearing on the 25th day of March, 1980, at 8:30 P.M., to consider the application of Brookline Manor, Inc. to amend the Zoning Ordinance of the Town of Clarkstown by redistricting the property of the petitioner from LO district to R-22 district, and

WHEREAS, notice of public hearing was duly published as required by law and the public hearing was duly held at the time and place specified in the notice;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and welfare, the Zoning Ordinance of the Town of Clarkstown be and it hereby is amended by redistricting from LO district to R-22 district, the following described property in the Hamlet of New City, New York, in said Town.

(Tax lots 41-A-1 and 41-A-2)

BEGINNING at a point on the northerly right-of-way line of Phillips Hill Road, said point being located at the southwest corner of lands now or formerly of Rockland Construction Hall, Inc. (Tax lot 41-A-4.01);

1) N 74-21-40W along the northerly right-of-way line of Phillips Hill Road, a distance of 50.43 feet; running thence along lands now or formerly of Pat Damiani (Tax lot 41-A-3), the following four (4) courses and distances:

- 2) N23-08-50E, a distance of 256.42 feet;
- 3) N43-18-10W, a distance of 120.55 feet;
- 4) N76-47-30W, a distance of 125.40 feet;
- 5) S8-34-20W, a distance of 313.47 feet; thence
- 6) N74-21-40W along the northerly right-of-way line of Phillips Hill Road, a distance of 60.46 feet;

running thence along lands now or formerly of Phillips Hill Professional Center Association (Tax lot 41-A-1.01), the following two (2) courses and distances:

- 7) N8-34-20E, a distance of 436.81 feet;
- 8) N74-21-40W, a distance of 229.50 feet.

running thence along lands now or formerly of the County of Rockland (Tax lots 41-A-16.27 & 61-A-12.01), the following six (6) courses and distances:

- 9) N13-12-42E, a distance of 14.79 feet;
- 10) N13-18-59E, a distance of 539.00 feet;
- 11) N13-02-18E, a distance of 518.50 feet;
- 12) S76-06-21E, a distance of 291.02 feet;
- 13) S76-43-26E, a distance of 328.40 feet;
- 14) S9-27-30W, a distance of 189.16 feet;

running thence along the lands now or formerly of Rockland Construction Hall, INC. (Tax lot 41-A-4 & 41-A-4.01); the following four (4) courses and distances:

- 15) S9-14-50W, a distance of 233.50 feet;
- 16) S14-19-50W, a distance of 214.00 feet;
- 17) S18-08-50W, a distance of 495.00 feet;
- 18) S23-08-50W, a distance of 398.36 feet to the point or place of beginning.

Containing 17.514 acres.

Seconded by Co. Maloney

On roll call the vote was as follows:

Supervisor Dusanenko.....	Yes
Councilman Holbrook.....	No
Councilman Lettre.....	Yes
Councilman Longo.....	Yes
Councilman Maloney.....	Yes

AAE505

RESOLUTION NO. (294-1980)

SETTING PUBLIC HEARING
FOR EXTENSION OF CLARKSTOWN
CONSOLIDATED WATER SUPPLY
DISTRICT (SEIKI CORPORATION)

Co. Maloney offered the following resolution:

WHEREAS, a written petition dated March 25, 1980 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Clarkstown, Rockland County, New York for the Extension of the Clarkstown Consolidated Water Supply District in the said Town, to be bounded and described as follows:

All that certain tract or parcel of land, situate in the Town of Clarkstown, County of Rockland, State of New York, being more fully bounded and described as follows:

BEGINNING at a point on the westerly row line of New York State Route No. 303, said point being southeasterly corner of land of Seiki Corporation (Lot 128-A-5.10), and running thence:

1. N75° 01' 40"W, 651.27 feet along land of McQuade (Lot 127-A-1), and land of Lamborn (Lot 127-A-10) to a point; thence,
2. N 14° 58' 20"E, 628.14 feet along land of Saxton Products & ORS (Lot 128-A-5.15), and land of Anton Karl (Lot 128-A-5.14) to a point; thence,
3. N75° 01' 40"W, 68.50 feet along land of Anton Karl (Lot 128-A-5.10) to a point; thence,
4. N14° 58' 20"E, 546.18 feet along land of Aunt Millie's Sauces, Inc. (Lot 128-A-5.11) to a point in the southerly right-of-way of Brenner Drive; thence,
5. N83° 09' 10"E, 572.54 feet along Southerly right-of-way line to a point of curvature; thence;
6. Along a curve to the right having a radius of 25.00 feet, a length of 40.96 feet to a point in the westerly right-of-way line of New York State Route No. 303; thence;

Following 4 courses and distances along said westerly right-of-way line of New York State Route No. 303:

7. S2° 59' 05"E, 176.33 feet to a point; thence,
8. S3° 40' 45"W, 264.01 feet, to a point; thence,
9. S9° 07' 50"W, 252.01 feet, to a point; thence,
10. S13° 02' 10"W, 694.68 feet, to the point or place of BEGINNING.

Containing 19.244 acres more or less, excepting that portion of the above described premises already within Clarkstown Consolidated Water District No. 1.

NOW, THEREFORE, be it

ORDERED, that a meeting of the Town Board of the said Town of Clarkstown shall be held at the Meeting Room of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, Rockland County, New York, in said Town of Clarkstown, on the 13th day of May, 1980, at 8:15 P.M. EST time to consider the said petition and to hear all persons interested in

RESOLUTION NO. (294-1980) Continued

the subject thereof, concerning the same and for such other action as may be required by law or proper in the premises.

Seconded by Co. Longo All voted Aye.

* * * * *

RESOLUTION NO. (295-1980)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL ONE (1) HYDRANT EAST SIDE ROUTE 303, VALLEY COTTAGE, 530 FEET SOUTH OF HYDRANT #25-178 (INVES. NO. 8919)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Spring Valley Water Company is hereby authorized to install one (1) hydrant on the East side of Route 303, Valley Cottage, approximately 530 feet south of existing hydrant #25-178, hydrant Investigation No. 8919.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (296-1980)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING (VARIOUS LOCATIONS - NEW CITY)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Environmental Control, the Town Board of the Town of Clarkstown hereby accepts proposals from Orange & Rockland Utilities, Inc., for street lighting at the following locations:

Kingsland Drive	New City
Johnson's Lane	New City
Susan Drive	New City
Salem Road & Long Meadow Drive	New City
Frenchman's Creek	New City

Seconded by Co. Longo All voted Aye.

* * * * *

RESOLUTION NO. (297-1980)

SETTING PUBLIC HEARING WITH REGARD TO ZONING PETITION (BRUCE MacDONALD)

Co. Longo offered the following resolution:

WHEREAS, Bruce MacDonald has petitioned the Town Board of the Town of Clarkstown that the Zoning Ordinance of the Town be amended by redistricting property of the petitioner described from PO district to RS district;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Sections 264 and 265 of the Town Law be held at the Auditorium of the Town Hall of the Town of Clarkstown, at 10 Maple Avenue, New City, Rockland County,

AAE505

RESOLUTION NO. (297-1980) continued

New York, in the Town of Clarkstown, on the 13th day of May, 1980 at 8:30 P.M., relative to the proposed amendment; and it is

FURTHER RESOLVED, that the Town Attorney prepare notice of such statutory hearing and that the Town Clerk cause the same to be published in the official newspaper of the Town as aforesaid and file proof thereof in the office of the Town Clerk.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (298-1980) AUTHORIZING TOWN ATTORNEY TO BRING MATTER OF CHRYSLER REALTY CORP. v. FRANK W. FOLEY, ET AL, BEFORE COURT OF APPEALS

Co. Longo offered the following resolution:

WHEREAS, the Appellate Division, Second Department, has rendered a decision adverse to the Town of Clarkstown in the matter of Chrysler Realty Corp. v. Frank W. Foley, et al.,

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and is hereby authorized to take all appropriate steps to have the Court of Appeals review this matter.

Seconded by Co. Lettre All voted Aye.

* * * * *

RESOLUTION NO. (299-1980) AUTHORIZING THE PLANNING BOARD OF THE TOWN OF CLARKSTOWN TO APPLY TOWN LAW, SECTION 281 (PHILIP ACRES)

Co. Longo offered the following resolution:

WHEREAS, THEODORE F. ATZL, engineer for the owner, has made written application for the use of Town Law Section 281 in connection with the subdivision known as Philip Acres, and

WHEREAS, the Planning Board of the Town of Clarkstown recommends the approval of the use of Town Law Section 281 in connection with this subdivision, and

WHEREAS, the Town Board of the Town of Clarkstown finds that it would be a benefit to the Town of Clarkstown if Town Law Section 281 is used in this subdivision in order to preserve a non-designated wetland and provide for natural retention;

NOW, THEREFORE, be it

RESOLVED, that the Planning Board of the Town of Clarkstown is hereby authorized to use Town Law Section 281 in connection with this subdivision, provided that the wetland area be included in a conservation easement providing that no work shall be performed within the conservation easement.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (300-1980)

AUTHORIZING SUPERVISOR
TO FILE APPLICATION TO
DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT FOR
SECTION 8 HOUSING ASSIST-
ANCE PROGRAM

Co. Maloney offered the following resolution:

WHEREAS, the Town of Clarkstown is a participating community in the Rockland County Urban County Consortium, which County has stated in its Community Development Application, Housing Assistance Plan, Table 3, that the three year goal of 480 dwelling units of Section 8 Existing Housing will be applied for, and

WHEREAS, the Town Board of the Town of Clarkstown recognizes that a small number of residents of Clarkstown need assistance in meeting the cost of adequate housing;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to file an application for funding of 50 dwelling units with the Department of Housing and Urban Development for the purpose of securing assistance under Section 8 Existing Housing Program.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (301-1980)

MEMORIALIZING RESOLUTION
REGARDING VETERANS'
EXEMPTIONS

Co. Lettre offered the following resolution:

WHEREAS, there presently exists a serious discrepancy and conflict in legal opinions regarding veterans' exemptions in the State of New York, and

WHEREAS, in the interest of fair and equitable treatment of all veterans throughout the entire State of New York;

NOW, THEREFORE, be it

RESOLVED, that the Senate and Assembly of the State of New York adopt an income tax credit to all qualified veterans in an amount as determined by the State Legislature, and be it

FURTHER RESOLVED, that a certified copy of this resolution shall be forwarded to the Governor of the State of New York, the State Senator and the Assemblyman.

Seconded by Co. Longo

All voted Aye.

* * * * *

RESOLUTION NO. (302-1980)

AUTHORIZING TOWN ATTORNEY
TO BRING MATTER OF BOWMAN
V. SQUILLACE BEFORE COURT
OF APPEALS

Co. Holbrook offered the following resolution:

WHEREAS, the Appellate Division, Second Department, has rendered a decision adverse to the Town of Clarkstown in the matter of Bowman v. Squillace, et al.,

AAE505

RESOLUTION NO. (302-1980) Continued

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and is hereby authorized to take all appropriate steps to have the Court of Appeals review this matter.

Seconded by Co. Lettre

On roll call the vote was as follows:

- Supervisor Dusanenko.....Yes
- Councilman Holbrook.....Yes
- Councilman Lettre.....Yes
- Councilman Longo.....No
- Councilman Maloney.....Yes

* * * * *

RESOLUTION NO. (303-1980)

MEMORIALIZING RESOLUTION
REGARDING THE PADOVAN LAW

WHEREAS, the Town of Clarkstown did duly adopt zoning laws to protect the rights of property owners and the rights of all residents, and

WHEREAS, each and every resident is lawfully bound to adhere to said zoning laws, and

WHEREAS, Chapter 468 of the Laws of 1978 of the State of New York (an act to amend the Mental Hygiene Law, and the Eminent Domain Procedure Law, in relation to site selections of Community Residential Facilities for the disabled), preserves the right of the State of New York to override the zoning laws of any municipality, and

WHEREAS, said law is causing much confusion to our residents and generating much hostility toward the New York State Department of Mental Hygiene;

NOW, THEREFORE, be it

RESOLVED, that by virtue of this resolution, the Town Board of the Town of Clarkstown hereby petitions the New York State Senate and the New York State Assembly to consider eliminating Section 5, Paragraph E, (a Community Residence established pursuant to this section, and Family Care Homes, shall be deemed a family unit, for the purposes of Local Law and Ordinances) from Chapter 468 of the Laws of 1978, and be it

FURTHER RESOLVED, that any and all agencies seeking the establishment of any program in any municipality adhere to the local law established by such municipality, and be it

FURTHER RESOLVED, that any sponsoring agency planning to establish one or more Residential Facilities for the disabled within a municipality be required to notify the entire governing body of said municipality, rather than only the Chief Executive Officer, and be it

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Governor of the State of New York, and to the State Senator and Assemblyman representing the County of Rockland.

Seconded by Co. Lettre

RESOLUTION NO. (303-1980) continued

On roll call the vote was as follows:

Supervisor Dusanenko.....	Yes
Councilman Holbrook.....	No
Councilman Lettre.....	Yes
Councilman Longo.....	Yes
Councilman Maloney.....	No

Councilman Holbrook noted that in reference to the first resolved clause as to the definition of what a family unit is, he had no objection to the State's interpretation regarding the mentally retarded as a family unit and the right to live in group homes; therefore he did not approve of this resolution with regard to that particular resolved clause. He had requested that this particular resolved clause be removed and was overridden.

Councilman Maloney noted that he also was voting no for the very same reason as Councilman Holbrook. He said he was familiar with what consitutes a family unit.

* * * * *

RESOLUTION NO. (304-1980)

AUTHORIZING TOWN ATTORNEY
TO COMMENCE LEGAL PROCEED-
INGS (CAMP VENTURE, INC.)

Co. Longo offered the following resolution:

WHEREAS, Camp Venture, Inc., (Venture Inn) by letters dated April 18, 1979 and May 17, 1979, did notify the Honorable George S. Gerber, Supervisor of the Town of Clarkstown, of its intention to purchase and/or lease a house at 129 Strawtown Road, New City, New York, for use as a community residence pursuant to Section 41.34 of the Mental Hygiene Law, and

WHEREAS, the Town Attorney of the Town of Clarkstown did by letter dated May 14, 1979, notify the Office of Mental Retardation and Developmental Disabilities of the Town's objection to the proposed community residence unless a special permit was obtained pursuant to Section 106-3B of the Clarkstown Zoning Ordinance, and

WHEREAS, the last written communication from the Office of Mental Retardation and Developmental Disabilities was a letter dated June 11, 1979, indicating that the special permit provision of the Clarkstown Zoning Ordinance was inconsistent with Section 41.34 of the Mental Hygiene Law, and

WHEREAS, the Facilities Development Corporation on March 7, 1980, filed with the County Clerk's Office, Rockland County, a Notice of Appropriation pursuant to Article 71 of the Mental Hygiene Law vesting title in and to the premises situate at 129 Strawtown Road, New City, New York, in the People of the State of New York, and

WHEREAS, it is the considered opinion of the Clarkstown Town Board that the sponsoring agency of Camp Venture, Inc. (Venture Inn), the Office of the Mental Retardation and Developmental Disabilities have not complied with both the substance and spirit of Section 41.34 of the Mental Hygiene Law;

NOW, THEREFORE, be it

RESOLVED, that the Town Attorney be and he hereby is authorized to commence the appropriate legal proceeding to enjoin the occupancy

AAE505

RESOLUTION NO. (304-1980) Continued

and use of 129 Strawtown Road, New City, New York, by Camp Venture, Inc. (Venture Inn) prior to a hearing and review by the court, and be it

FURTHER RESOLVED, that the Town Attorney be authorized to retain Frederick P. Roland, Esq., as special counsel for a fee not to exceed \$1,500.

Seconded by Co. Lettre

All voted Aye.

* * * * *

Councilman Holbrook noted that he did not object to the idea of a group home but the methodology involved in the present case.

Councilman Lettre felt that any group applying for a group home should go through the proper procedure which would be a public hearing. He was opposed to the State coming into the Town of Clarkstown and overriding local government. He was not opposed to the concept of group homes but objected to the way in which it was done.

Councilman Longo said that simply put his vote was not against the concept of group homes but in favor of local control.

Councilman Maloney noted that the previous Town Boards had set up group homes and allowed them to come in by special permit. He felt that a public hearing was in effect an explanation for both sides and helped to dispel any fears residents would have. He expressed a firm belief in due process.

Supervisor Dusanenko noted that in the past the Town Board has been more than interested in the handicapped and voted for improvements for them many times. I feel that the State of New York is depriving the residents of Clarkstown to the right of a public hearing. I feel that if this precedent is set the State of New York could come into Clarkstown and take any piece of property off the tax rolls for whatever purpose it wanted. What I want to do here is uphold the integrity of the zoning laws of the Town of Clarkstown and to exercise local control by doing things in the proper manner.

* * * * *

Recess declared at this point from 9:01 P.M. to 9:35 P.M.

* * * * *

RESOLUTION NO. (305-1980)

CLOSING REGULAR MEETING
IN ORDER TO HOLD SCHEDULED
PUBLIC HEARING (LOCAL LAW -
YOUTH COMMISSION)

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing, time: 9:35 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (306-1980)

RESUMING REGULAR TOWN BOARD
MEETING, SCHEDULED PUBLIC
HEARING HAVING BEEN HELD

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed, scheduled Public Hearing having been held, time: 9:40 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (307-1980)

ADOPTING LOCAL LAW NO.
2-1980 (YOUTH COMMISSION
WITHIN THE TOWN OF
CLARKSTOWN)

Co. Longo offered the following resolution:

WHEREAS, a proposed local law entitled "A LOCAL LAW PROVIDING FOR A YOUTH COMMISSION WITHIN THE TOWN OF CLARKSTOWN", was introduced by Councilman Longo at a Town Board Meeting held on March 25, 1980, and

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 25th day of March, 1980, directed that a public hearing be held on the 8th day of April, 1980, at 9:00 P.M., to consider the adoption of the local law, and

WHEREAS, notice of said hearing was duly prepared and published in the Journal News on March 27, 1980, and

WHEREAS, a copy of the proposed local law in final form was placed on the desks of the Supervisor and the Councilmen at their office at 10 Maple Avenue, New York, New York, on March 17, 1980, and

WHEREAS, a public hearing was held on the 8th day of April, 1980;

NOW, THEREFORE, be it

RESOLVED, that Local Law No. 1-1980 entitled, "A LOCAL LAW PROVIDING FOR A YOUTH COMMISSION WITHIN THE TOWN OF CLARKSTOWN", is hereby ADOPTED and passed by an affirmative vote of the Town Board of the Town of Clarkstown, the vote for adoption being as follows:

Hon. Theodore R. Dusanenko, Supervisor.....	Yes
Councilman John R. Maloney.....	Yes
Councilman Charles E. Holbrook.....	Yes
Councilman Nicholas A. Longo.....	Yes
Councilman Edward Lettre.....	Yes

The Clerk of the Town of Clarkstown was directed to file the local law pursuant to Section 26 of the Municipal Home Rule Law.

Seconded by Co. Maloney

All voted Aye.

* * * * *

Supervisor Dusanenko thanked all the members of the Town Board for their vote for this Youth Commission and announced that Councilman Maloney would be the liaison for this Commission.

* * * * *

RESOLUTION NO. (308-1980)

CLOSING REGULAR MEETING
IN ORDER TO HOLD SCHEDULED
PUBLIC HEARING (EXTENSION
OF CLARKSTOWN CONSOLIDATED
WATER SUPPLY DISTRICT NO.
1 - RUSSIAN ORTHODOX CONVENT)

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be closed in order to hold scheduled Public Hearing, time: 9:42 P.M.

Seconded by Co. Longo

All voted Aye.

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AAE505

RESOLUTION NO. (309-1980)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING HAVING BEEN HELD

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be resumed scheduled Public Hearing having been held, time: 9:45 P.M.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (310-1980)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO INSTALL A W-98A SIGN "SCHOOL BUS AHEAD" - EAST SIDE GOEBEL ROAD, 500 FEET BEFORE ORCHARD AVENUE, NEW CITY

Co. Maloney offered the following resolution:

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 W-98A sign, "School Bus Stop Ahead". This sign should be erected on the East side of Goebel Road, 500 feet before Orchard Avenue, New City.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (311-1980)

AUTHORIZING SUPERINTENDENT OF HIGHWAYS TO ERECT SIGN "TRUCKS OVER 4 TON EXCLUDED" BROOM AVENUE AT ROUTE 59, WEST NYACK

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Traffic and Traffic Fire Safety Advisory Board, the Superintendent of Highways is hereby authorized to erect a sign to read, "Trucks over 4 Ton Excluded". This sign should be erected on Broom Avenue at Route 59, West Nyack.

Seconded by Co. Holbrook

All voted Aye.

* * * * *

RESOLUTION NO. (312-1980)

ACCEPTING ROADS (BEACON STREET - SUBDIVISION OF PROPERTY FOR GLENWOOD)

Co. Longo offered the following resolution:

RESOLVED, that upon the recommendation of the Superintendent of Highways and the Director of Environmental Control, deed from Nava Construction Corp. dated March 12, 1979 conveying roads and other improvements to the Town of Clarkstown in a subdivision as shown on Final Plat of "Subdivision of Property for Glenwood" last revised September 27, 1978, and filed in the Office of the Rockland County Clerk on November 16, 1978, in Book 93 of Maps at Page 53 as Map No. 4997, as follows:

RESOLUTION NO. (312-1980) Continued

Beacon Street 840 L.F.

is hereby accepted by the Town of Clarkstown provided all requirements of the Town Attorney's Office have been met, and ordered filed in the Rockland County Clerk's Office, and be it

FURTHER RESOLVED, that the written guaranty with security posted by the developer is hereby accepted.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (313-1980)

AUTHORIZING SUPERVISOR TO ENTER AGREEMENT WITH JACK D. BOSWELL FOR MEETS BOUNDS OF PROPERTY DEDICATED BY CHROMALLOY CORP. TRANSFER A1990-505 to A8730-409

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown wishes to enter into an agreement with Jack D. Boswell and Assoc. for the preparation of meets and bounds description of the property to be gratuitously dedicated to the Town by Chromalloy Corp., and

WHEREAS, the costs involved shall not exceed \$1,200.,

NOW, THEREFORE, be it

RESOLVED, that the Town Board of the Town Board of the Town of Clarkstown authorizes the Supervisor to enter said agreement, and be it

FURTHER RESOLVED, that the sum of \$1,200. be transferred from Account No. A1990-505 to A8730-409.

Seconded by Co. Maloney All voted Aye.

* * * * *

RESOLUTION NO. (314-1980)

CERTIFYING POSITION OF MAINTENANCE HELPER - SEWER DEPARTMENT

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 26, 1980, that the position of Maintenance Helper - Sewer Department - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Maintenance Helper - Sewer Department - is hereby created, effective immediately.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (315-1980)

APPOINTING MAINTENANCE HELPER - SEWER DEPARTMENT (GEORGE MEMIS)

Co. Longo offered the following resolution:

AAE505

RESOLUTION NO. (315-1980) Continued

RESOLVED, that George Memis, 214 Germonds Road, West Nyack, New York, is hereby appointed to the position of Maintenance Helper - Sewer Department - at the annual salary for 1980 of \$10,242, effective April 14, 1980.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (316-1980) APPOINTING CLERK (CETA)
JAWONIO WORKSHOP (EILEEN SPRING)

Co. Longo offered the following resolution:

RESOLVED, that Eileen Spring, 8 Lenbar Circle, New City, New York is hereby appointed to the position of Clerk (CETA) - Jawonio Workshop - at the hourly wage of \$4.00, effective and retroactive to March 17, 1980.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (317-1980) APPOINTING MAIL CLERK (CETA)
ANGELENA BABCOCK

Co. Longo offered the following resolution:

RESOLVED, that Angelena Babcock, 81 Smith Road, Nanuet, New York, is hereby appointed to the position of Mail Clerk (CETA) at the annual salary for 1980 of \$8,123., effective and retroactive to March 31, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (318-1980) APPOINTING NIGHT CLEANER -
MAINTENANCE DEPARTMENT
(ALBERT CHIANESE)

Co. Longo offered the following resolution:

WHEREAS, there is a vacancy in the position of Night Cleaner - Maintenance Department,

NOW, THEREFORE, be it

RESOLVED, that Albert Chianese, 196 North Middletown Road, Nanuet, New York, is hereby appointed to the position of Night Cleaner - Maintenance Department at the annual salary for 1980 of \$10,269., effective April 14, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (319-1980) CREATING POSITION OF
SEASONAL-REAL PROPERTY
DATA COLLECTOR - ASSESSOR'S
OFFICE

Co. Longo offered the following resolution:

RESOLUTION NO. (319-1980) Continued

WHEREAS, the Rockland County Personnel Office has certified on March 28, 1980, that the position of Seasonal - Real Property Data Collector - Assessor's Office can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Seasonal - Real Property Data Collector is hereby created, effective immediately.

Seconded by Co. Lettre

All voted Aye.

* * * * *

RESOLUTION NO. (320-1980)

APPOINTING SEASONAL - REAL PROPERTY DATA COLLECTOR - ASSESSOR'S OFFICE (CAROLINE BOGART)

Co. Longo offered the following resolution:

RESOLVED, that Caroline Bogart, 381 South Main Street, New City, New York is hereby appointed to the position of Seasonal - Real Property Data Collector - Assessor's Office - at the hourly rate of \$4.64, effective April 14, 1980.

Seconded by Co. Maloney

All voted Aye.

* * * * *

RESOLUTION NO. (321-1980)

REAPPOINTMENT OF CUSTODIAN (PART-TIME) WELLS PARK, CONGERS, NEW YORK (JAMES SUMMERS) (ACCOUNT #7140-114)

Co. Longo offered the following resolution:

RESOLVED, that James Summers, 16 Highway Avenue, Congers, New York, is hereby reappointed to the position of Custodian (part-time) of Wells Park, Congers, New York term to commence on May 1, 1980, and to terminate on October 31, 1980, at the salary of \$3.20 per hour, to be taken from Account #7140-114, Parks and Recreation.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (322-1980)

APPOINTING ADULT RESIDENT CLARKSTOWN YOUTH COMMISSION (HILTON KAUFMAN)

Co. Holbrook offered the following resolution:

RESOLVED, that Hilton Kaufman, 3 Lisa Court, New City, New York, is hereby appointed as the adult resident member of the Town of Clarkstown's youth Commission for a term to expire on April 7, 1983, at a salary of \$1.00 per year.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (323-1980)

APPOINTING TEENAGE RESIDENT CLARKSTOWN YOUTH COMMISSION (BRETT D. MICHAELS)

Co. Longo offered the following resolution:

AAE505

RESOLUTION NO. (323-1980) Continued

RESOLVED, that Brett D. Michaels, 51 Medway Avenue, Congers, New York, is hereby appointed as the teenage resident member of the Town of Clarkstown's Youth Commission for a term to expire on April 7, 1981, to serve without compensation.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (324-1980)

APPOINTING CHAIRMAN OF
TOWN OF CLARKSTOWN'S YOUTH
COMMISSION (HILTON KAUFMAN)

Co. Maloney offered the following resolution:

RESOLVED, that Hilton Kaufman, 3 Lisa Court, New City, New York, is hereby appointed Chairman of the Town of Clarkstown's Youth Commission for a term to expire on April 7, 1981, to serve without compensation.

Seconded by Co. Holbrook All voted Aye.

* * * * *

RESOLUTION NO. (325-1980)

APPOINTING MEMBERS TO
CLARKSTOWN'S YOUTH COMMISSION
(GHIAZZA, COHEN, SETTLE)

Co. Maloney offered the following resolution:

RESOLVED, that the following persons are hereby appointed to the Town of Clarkstown's Youth Commission for terms to expire with the termination of their employment with the Town of Clarkstown and to serve without compensation:

- 1. Edward J. Ghiazza, Superintendent of the Parks Board and Recreation Commission, 7 Debra Lee Court, West Nyack, New York;
- 2. Ellen Cohen, Director of the Clarkstown Counseling Center, 80 Kings Highway, New City, New York;
- 3. W. Curtis Settle, a member of the Juvenile Aid Bureau of the Clarkstown Police Department, 8 Beech Street, Nanuet, New York.

Seconded by Co. Longo All voted Aye.

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RESOLUTION NO. (326-1980)

ACCEPTING RESIGNATION OF
HERBERT T. KLEIN (SAFETY
COORDINATOR)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of employment of Herbert T. Klein, 160 Hungry Hollow Road, Spring Valley, New York, is hereby effective May 2, 1980.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (327-1980)

APPOINTING SAFETY
COMPLIANCE COORDINATOR
(NILS C. ECKHART)

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has furnished Certification of Eligibles #79092 Safety Compliance Coordinator which contains the name of Nils C. Eckhart,

NOW, THEREFORE, be it

RESOLVED, that Nils C. Eckhart, 30 Highway Avenue, Congers, New York is hereby appointed to the position of Safety Compliance Coordinator at the annual salary for 1980 of \$21,000., effective May 5, 1980, and be it

RESOLVED, that the sum of \$2,854. be transferred from Contingency line #1990-505 to A3010-110.

Seconded by Co. Maloney

All voted Aye.

* * * * *

Supervisor Dusanenko asked if there was anyone wishing to be heard.

APPEARANCE: Mr. Fred Hager
Valley Cottage, New York

Mr. Hager expressed a wish that the Supervisor would announce that anyone wishing to be heard could express their feelings at the end of the regular meeting. He went on to say that he disagreed with both resolutions concerning the group home established on Strawtown Road.

APPEARANCE: Mr. Joseph Pantano
265 South Little Tor Road
New City, New York 10956

Mr. Pantano expressed approval of the Youth Commission. He objected to the change of zone granted to Brookline Manor.

APPEARANCE: Mrs. Elizabeth Crosby Metz
6 Fringe Court
New City, New York 10956

Mrs. Metz was in favor the group home.

APPEARANCE: Mr. Thomas Condon
284 Ridge Road
New City, New York

Mr. Condon was opposed to the group home. He requested a public hearing on the matter.

APPEARANCE: Miss Mary Princi
Monsey, New York

She was in favor of the group home. She wished to point out that there was a great difference between mentally retarded and emotionally disturbed persons.

APPEARANCE: Mr. Robert Russo
1 Georgetown Oval
New City, New York

AAE505

Mr. Russo was not opposed to the concept of the group home but objected to the manner in which this was done.

APPEARANCE: Mr. Hilton Kaufman
3 Lisa Court
New City, New York 10956

Mr. Kaufman wanted to thank the Town Board for the creation of the Youth Commission.

There being no one further wishing to be heard and no more business to come before the Town Board, Town Board Meeting was adjourned, time: 10:25 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

PUBLIC HEARING
TOWN OF CLARKSTOWN

Town Hall

4/8/80

8:18 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PROPOSED AMENDMENT TO LOCAL LAW NO. 9-1971 AS AMENDED ENTITLED
"A LOCAL LAW PROVIDING FOR THE SAFETY OF MOTOR VEHICLE OPERATION,
ETC."

Supervisor Dusanenko declared the public hearing open;
Town Clerk read the notice calling public hearing and testified
as to proper posting and publication.

Town Attorney Everett Johns gave an explanation of the
proposed local law as to fire lanes and regarding parking and
police enforcement.

Supervisor Dusanenko asked if there was anyone wishing to
be heard in favor of or in opposition to the proposed amendment.

IN FAVOR:

APPEARANCE: Mr. Robert Bowman, Building Inspector
Town of Clarkstown
10 Maple Avenue
New City, New York 10956

Mr. Bowman thanked the Town Attorney for the preparation
of the amendment and for the addition of the fire lanes and parking
recommendations.

IN OPPOSITION: No one appeared.

There being no one further wishing to be heard and on
motion of Councilman Maloney, seconded by Co. Longo and unanimously
adopted the Public Hearing was declared closed, time: 8:22 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

ADOPTED: 4/8/80 Resolution No. 288-1980.

AAE505

PUBLIC HEARING
TOWN OF CLARKSTOWN

Town Hall

4/8/80

8:30 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: TO CONSIDER APPLICATION OF UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA, CARPENTERS UNION NO. 964 RE: SENIOR CITIZEN HOUSING, SQUADRON BOULEVARD, NEW CITY, NEW YORK

Supervisor Dusanenko declared the Public Hearing open; Town Clerk testified as to proper posting and publication.

Patrick Campbell, Esq., appeared as the attorney for the Carpenters Union. Mr. Campbell requested an extension of the special permit previously granted to the Carpenters Union for the construction of Senior Citizen housing on Squadron Boulevard. He noted that federal approval had been received and expected that construction would begin sometime in early June of this year.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or against the proposed extension of time for the special permit.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted the Public Hearing was declared closed, time: 8:37 P.M.

Respectfully submitted,
Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

GRANTED: 4/8/80 Resolution No. 292-1980)

AAE505

PUBLIC HEARING
TOWN OF CLARKSTOWN

Town Hall

4/8/80

9:35 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PROPOSED LOCAL LAW ENTITLED, "A LOCAL LAW PROVIDING FOR A YOUTH COMMISSION WITHIN THE TOWN OF CLARKSTOWN"

Supervisor Dusanenko declared the public hearing open; Town clerk read the notice calling public hearing and testified as to proper posting and publication.

Everett Johns, Town Attorney, gave an explanation of the proposed local law. He mentioned that this commission would consist of five members who are qualified by reason of their training and experience with youth. The memberships consists of a member of the Juvenile Aid Bureau of the Police Department of the Town of Clarkstown, the Superintendent of Parks Board and Recreation, the Director of the Clarkstown Counseling Center, a teen-age resident of the Town of Clarkstown and a qualified resident of the Town of Clarkstown.

Mr. Johns noted other facts relating to this commission such as compensation to be paid, secretarial assistance, etc.

Supervisor Dusanenko asked if there was anyone wishing to be heard in favor of or in opposition to the proposed local law.

IN FAVOR:

APPEARANCE:

Mr. Paul Adler
West Nyack, New York 10994

Mr. Adler commended the Board and Supervisor Dusanenko, in particular, for recognizing the needs of the youth in Clarkstown.

IN OPPOSITION: No one appeared.

There being no one further wishing to be heard and on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted the public hearing was declared closed, time: 9:40 P.M.

Respectfully submitted,

Patricia Sheridan
PATRICIA SHERIDAN,
Town Clerk

ADOPTED: 4/8/80 Resolution No. 307-1980

AAE505

PUBLIC HEARING
TOWN OF CLARKSTOWN

Town Hall

4/8/80

9:42 P.M.

Present: Supervisor Dusanenko
Councilmen Holbrook, Lettre, Longo, Maloney
Everett Johns, Town Attorney
Patricia Sheridan, Town Clerk

RE: PETITION FOR THE EXTENSION OF THE CLARKSTOWN CONSOLIDATED WATER
SUPPLY DISTRICT #1 - RUSSIAN ORTHODOX CONVENT, SMITH ROAD,
SPRING VALLEY, NEW YORK

Supervisor Dusanenko declared the public hearing open;
Town Clerk read notice calling public hearing and testified as to
proper posting and publication.

Patricia Sheridan presented a signed affidavit of Mr. Leslie
F. Bollman, Director of Environmental Control, stating that the
proposed extension meets the requirements of all regulations of the
Town.

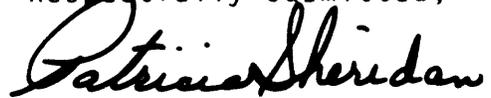
Supervisor Dusanenko asked if there was anyone wishing to
be heard in favor of or in opposition to the proposed extension.

IN FAVOR: No one appeared.

IN OPPOSITION: No one appeared.

There being no one wishing to be heard and on motion of
Councilman Longo, seconded by Councilman Maloney and unanimously
adopted the public hearing was declared closed, time: 9:45 P.M.

Respectfully submitted,



PATRICIA SHERIDAN,
Town Clerk

District Extended: 4/8/80 Order signed

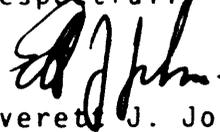
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There being no further business to come before the Board,
Special Town Board Meeting was adjourned, time: 6:45 P.M.

Respectfully submitted,



Everett J. Johns
as Acting Town Clerk