

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

4/22/80

8:30 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.(330-1980)

PROCLAMATION FOR HONOR  
VOLUNTEERS WEEK

Co. Holbrook offered the following resolution:

WHEREAS, Adult and student volunteers, serving the community of Clarkstown, have donated enumerable time and energy and have performed valuable and outstanding service to the members of the community, and

WHEREAS, this service has been performed with dedication and competence, inspiring the quality of our lives, and

WHEREAS, through the efforts of these dedicated men and women, the people of Clarkstown have much to be proud of and owe a great debt of gratitude to the individuals who have continually worked so diligently on behalf of all of us, and

WHEREAS, all too often, these vital endeavors and selfless actions, such as those performed by the volunteer Fire and Ambulance Corps, together with the other volunteer services, are sometimes not properly recognized or appreciated,

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, do hereby proclaim the week of April twentieth, Nineteen Hundred and Eighty, as "Honor Volunteers Week" in the Town of Clarkstown and urge all our citizens to recognize the efforts and dedication of the individuals who have rendered to our community a vital service that no tribute can properly repay.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (331-1980)

PROCLAMATION FOR  
SECRETARIES' DAY

Co. Longo offered the following resolution:

WHEREAS, serving as a support system in our nation's offices, in government and private business and industry, are millions of secretaries who assist and aid in the smooth operation of business, and

WHEREAS, these dedicated people help to ameliorate the pressures and problems of the management for whom they work, by performing significant jobs in a professional manner and fulfilling a multitude of routine tasks in a diligent, willing and cheerful manner and

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RESOLUTION NO. (331-1980) Continued

WHEREAS, these many duties, which include human relations, the handling of communications, streamlining procedures, setting priorities and numerous other responsibilities, must be handled quietly, efficiently and systematically for the proper functioning of an office, and

WHEREAS, a Secretary's obligations require the juggling of myriad demands in order to contribute to the operational success of the Organization, and

WHEREAS, all too often these important services are not properly recognized or appreciated,

NOW, THEREFORE, be it

RESOLVED, that I, Theodore R. Dusanenko, Supervisor of the Town of Clarkstown, do hereby proclaim Wednesday, April twenty-third, nineteen hundred and eighty, as "Secretaries' Day" in the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (332-1980)

CLOSING REGULAR TOWN BOARD MEETING, IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (BJB FILM PROCESSOR SERVICE)

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned, in order to hold scheduled public hearing, time: 8:34 P.M.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (333-1980)

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: 9:20 P.M.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (334-1980)

AUTHORIZING TOWN ATTORNEY TO INSTITUTE PROCEEDINGS IN ACCORDANCE WITH CHAPTER 31 OF THE CODE OF TOWN OF CLARKSTOWN (BARBARA WEST)

Co. Longo offered the following resolution:

RESOLVED, that the Town Attorney is hereby authorized to institute proceedings as stipulated in Chapter 31 of the Code of

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RESOLUTION NO. (334-1980) Continued

the Town of Clarkstown to rectify or remove violation on premises owned by:

Barbara West  
418 Storms Road  
Valley Cottage, New York 10989

in the Town of Clarkstown, more particularly described on the Tax Map of the Town of Clarkstown as

Map 122, Block A, Lot 24

Seconded by Co. Holbrook All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (335-1980)

GRANTING CERTIFICATE OF  
REGISTRATION PURSUANT TO  
SEC. 83-65 OF THE CODE OF  
THE TOWN OF CLARKSTOWN

Co. Longo offered the following resolution:

WHEREAS, the following has applied for a Certificate of Registration pursuant to Section 83-65 of the Code of the Town of Clarkstown:

Cedric Garlick, Jr.  
Hy Dynamics Equipment  
d/b/a Strawtown Builders, Inc.  
311 Strawtown Road  
New City, New York 10956

NOW, THEREFORE, be it

RESOLVED, that the following Certificate of Registration be issued:

No. 80-14 issued to Cedric Garlick, Jr.,  
Hy Dynamics Equipment, d/b/a  
Strawtown Builders, Inc.

Seconded by Co. Lettre All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (336-1980)

ACCEPTING PROPOSALS FOR  
STREET LIGHTING FROM  
ORANGE & ROCKLAND UTILITIES,  
INC. (BROOKHILL ESTATES,  
WEST NYACK - BROOKSIDE  
AVENUE, VALLEY COTTAGE)

Co. Lettre offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of the Department 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:

Brook Hill Estates Subdivision West Nyack  
Brookside Avenue Valley Cottage

Seconded by Co. Holbrook All voted Aye.

\* \* \* \* \*

AAE505

RESOLUTION NO. (337-1980)

RESCINDING RESOLUTION  
#186-1980

Co. Holbrook offered the following resolution:

RESOLVED, that Town Board resolution #186-1980 passed at the Town Board Meeting of February 26, 1980, is hereby rescinded.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko explained that through human error a street sign had been ordered to be erected in a wrong location and therefore that resolution must be rescinded.

\* \* \* \* \*

RESOLUTION NO. (338-1980)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ERECT A  
"STOP" SIGN (BRIARCLIFF  
ROAD AT WEST CLARKSTOWN  
ROAD, SPRING VALLEY)

Co. Lettre 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 "Stop" sign on Briarcliff Road at West Clarkstown Road, Spring Valley.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (339-1980)

AWARDING BIDS - RECREATION  
DEPARTMENT (VARIOUS BIDDERS)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing and the Superintendent of Recreation and Parks that the bid for the purchase of

- (A) Two (2) Three Inch Trash Pump
- (B) One (1) 3500 Watt Generator
- (C) One (1) Power Auger
- (D) One (1) Hydraulic Lift Truck

is hereby awarded to the following low bidders:

- (A) Two (2) Three Inch Trash Pumps

awarded to: Freeport Equipment, Inc.  
319 West Sunrise Highway  
Freeport, New York 11520

for two-Homelite #120TPS pumps @ \$ 830.45 each

- (B) One (1) 3500 Watt Generator

awarded to: Stillwell Equipment Corp.  
233 Tarrytown Road  
Elmsford, New York 10523

for one - Homelite # 176A35 @ \$ 711.00 each

RESOLUTION NO. (339-1980) Continued

(C) One (1) Power Auger

awarded to: Matcha Machinery Co., Inc.  
273 Passaic Avenue  
Fairfield, New Jersey 07006

for one - Danuser # F-8 @ \$ 965.00 each

(D) One (1) Hydraulic Lift Truck

awarded to: Albert H. Cayne Equipment Corp.  
106 Spring Street  
New York, New York 10012

for one - Big Joe # 2024-T-12 @ \$3,050.00

and be it,

FURTHER RESOLVED, that funds for same to charged to  
Parklands and Improvements.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (340-1980) AWARDING BID FOR SIX  
CYLINDER PICK-UP TRUCK  
WITH DUMP BODY (SCHULTZ  
FORD, INC.)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Director  
of Purchasing and the Parks Supervisor that the bid to purchase  
one (1) 3/4 Ton, Six Cylinder Pick-Up Truck With a Dump Body is  
hereby awarded to:

Schultz Ford, Inc.  
80 Route 304  
Nanuet, New York 10954

as per their low bid proposal of \$7,815.00 for a 1980 Ford F250  
Styleside Pick-up with a Galion Lo Boy Hoist Model CDE-223, and  
be it

FURTHER RESOLVED, that funds for same will be charged to  
Parklands and Improvements.

Seconded by Co. Lettre All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (341-1980) AWARDING BID FOR COMMUNICA-  
TIONS EQUIPMENT - FIRE  
INSPECTOR - (BELL-HERRING,  
INC.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director  
of Purchasing and the Clarkstown Fire Inspector that the bid to  
purchase Communications Equipment for the Clarkstown Fire Inspector  
is hereby awarded to:

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RESOLUTION NO. (341-1980) Continued

Bell-Herring, Inc.  
312 North Plank Road  
Newburgh, New York 12550

as per the following:

- 2 each - Federal VP II low band (30-SUMHZ) portable radio
  - 2 each - Model BPL mobile/portable nickel cadium battery pack (25 watt)
  - 2 each - Five channel option (5 transmit - 5 receive)
  - 2 each - Rubber coated spring loaded antenna - low band model RP123
  - 2 each - External microphone connector - model M
  - 2 each - Mobile/Portable amplifier and rack assembly 50 watt model MPA
  - 2 each - Low band base loaded mobile antenna 42-50 MHZ model RP136
  - 2 each - Permanent cowl mount for uneven surfaces Model RP 140
  - 2 each - Tunnel mount TU-70
  - 2 each - Speaker Microphone model RP100
- |                       |                 |
|-----------------------|-----------------|
| Proposal for package  | \$1,497.50 each |
| Total proposal 2 each | \$2,995.00      |

and be it

FURTHER RESOLVED, that funds for same are to be charged to account B3620-230.

Seconded by Co. Lettre

\* \* \* \* \*

RESOLUTION NO. (342-1980)

APPOINTING BUDGET OFFICER  
(DOROTHY ERARD)

Co. Longo offered the following resolution:

RESOLVED, that Dorothy Erard, 7 Orchard Avenue, New City, New York, is hereby appointed Budget Officer at the annual salary of \$2,500.00 effective April 23, 1980.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (343-1980)

AUTHORIZING SUPERVISOR  
TO EXTEND CONTRACT WITH  
RAYMOND, PARRISH, PINE  
& WEINER, INC. (CONSULTING  
SERVICES)

Co. Longo offered the following resolution:

WHEREAS, Raymond, Parish, Pine & Weiner, Inc., are presently performing consultant services to the Town of Clarkstown pursuant to a contract entered into on May 12, 1976, and

WHEREAS, the Town desires to continue these consultant, technical and professional services;

NOW, THEREFORE, be it

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RESOLUTION NO. (343-1980) Continued

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an extension of the contract with Raymond, Parish, Pine and Weiner, Inc., until May 14, 1982, at the rate of \$60,000 for the first year and \$66,000 for the second year, and be it

FURTHER RESOLVED, that these services be charged to Account No. B8020-409.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

AAE505

RESOLUTION NO. (344-1980)

GRANTING PERMISSION TO  
PARKS BOARD AND RECREATION  
COMMISSION TO DISPENSE  
ALCOHOLIC BEVERAGES. (SIXTH  
ANNUAL SENIOR CITIZEN SHOW -  
THIRTEENTH ANNUAL SENIOR  
CITIZENS' PICNIC

Co. Lettre offered the following resolution:

WHEREAS, Section 22-2A of the Code of the Town of Clarkstown provides that permission may be granted by the Town Board to an organization desiring to dispense alcoholic beverages on public property in the Town of Clarkstown, and

WHEREAS, the Parks Board and Recreation Commission have requested that they be granted permission to dispense alcoholic beverages;

NOW, THEREFORE, be it

RESOLVED, that the Town Board hereby grants permission to the Parks Board and Recreation Commission to dispense alcoholic beverages at the following events:

1. Sixth Annual Senior Citizen Show  
Saturday, April 26, 1980  
Congers Community Center  
Gilchrest Road  
Congers, New York
2. Thirteenth Annual Senior Citizens' Picnic  
Tuesday, June 3, 1980 (Rain date: Wednesday, June 4, 1980)  
Congers Lake Memorial Park  
Gilchrest Road  
Congers, New York

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

At this point a notice of a Special Town Board Meeting to be held on April 28, 1980 at 10:00 P.M. was signed by all the members of the Town Board.

\* \* \* \* \*

RESOLUTION NO. (345-1980)

TRANSFERRING FUNDS FROM  
ACCOUNT NO. A 1130-313  
TO ACCOUNT NO. A 1330-409

Co. Longo offered the following resolution:

RESOLVED, that \$120.00 be transferred from Account No. A 1330-313 to Account No. A 1330-409.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (346-1980)

AMENDING BUDGET BY INCREAS-  
ING ESTIMATED REVENUE  
ACCOUNT NO. 01-002680 AND  
APPROPRIATION ACCOUNT NO.  
A 8110-409

Co. Longo offered the following resolution:

RESOLVED, that the budget be amended by increasing Estimated Revenue Account No. 01-002680 and Appropriation Account No. A 8110-409 in the amount of \$1,440.00.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (347-1980)

TRANSFERRING FUNDS FROM  
ACCOUNT NO. A 1220-313  
TO A 1220-438

Co. Longo offered the following resolution:

RESOLVED, that \$275.00 be transferred from Account No. A 1220-313 to A 1220-438.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (348-1980)

AUTHORIZING SUPERVISOR TO  
EXECUTE A PERMANENT DRAINAGE  
EASEMENT

Co. Longo offered the following resolution:

WHEREAS, the County of Rockland has requested drainage easements from the Town of Clarkstown for the proposed Naurausaun Retention Basin, and

WHEREAS, in cooperation with the County of Rockland for the development of the retention basin for the protection of Clarkstown residents;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor be and he hereby is authorized to execute two permanent drainage easements within existing Town of Clarkstown drainage easements as shown on Map 15, Block A, Lot 3.16 and Map 15, Block A, Lot 4.13.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (349-1980)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT FELIX  
FESTA JR., HIGH SCHOOL

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at Parrot Road, West Nyack, New York (59-A-2) by the installation of fire lane designations, and

WHEREAS, LeRoy W. Conklin, the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (350-1980)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT METRO-  
POLITAN PROFESSIONAL  
BUILDING

Co. Lettre offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at Squadron Boulevard, New City, New York, by the installation of fire lane designations, and

WHEREAS, Edmund F. Burke, Pres., EFB Enterprises, Inc., the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Longo

All voted Aye.

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AAE505

RESOLUTION NO. (351-1980)

AUTHORIZING FIRE LANE  
DESIGNATIONS AT NEW  
CITY FREE LIBRARY

Co. Longo offered the following resolution:

WHEREAS, the Building Inspector and the Fire Inspector of the Town of Clarkstown recommend implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Local Law, more particularly designated as Chapter 102 Sec. 14, of the Code of the Town of Clarkstown, at New City Free Library, Squadron Boulevard, New City, New York (59-A-20.23 and 20.24) by the installation of fire lane designations, and

WHEREAS, Rymond M. Rafferty the owner and or person in general charge of the operation and control of the parking area located in the Town of Clarkstown, has authorized that the Town of Clarkstown install said fire lane designations;

NOW, THEREFORE, be it

RESOLVED, that pursuant to said Local Law No. 9-1971, as amended, the Town Board hereby directs that the aforementioned recommendations of the Building Inspector and the Fire Inspector with regard to the installation of certain fire lane designations shall be installed by the Superintendent of Highways upon the review and approval of the Traffic and Traffic Fire Safety Advisory Board of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (352-1980)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING  
AGAINST THE TOWN OF  
CLARKSTOWN (CERESNAK)

Co. Longo offered the following resolution:

WHEREAS, a proceeding has been instituted against the Town of Clarkstown entitled as follows:

In the Matter of the Application of  
ANTOINETTE CERESNAK,

Petitioner,  
for a Judgment under Article 78 of the  
Civil Practice Law and Rules,

-against-

THEODORE R. DUSANENKO, as Supervisor of  
the Town of Clarkstown and Member of the  
Town Board; EDWARD J. LETTRE, NICHOLAS A.  
LONGO, CHARLES A. HOLBROOK and JOHN R.  
MALONEY, Individually and as Members of  
the Town Board of the Town of Clarkstown  
and the TOWN OF CLARKSTOWN,

Respondents.

NOW, THEREFORE, be it

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

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (353-1980)

INCREASING COST OF TOWN  
CODE BOOK

Co. Longo offered the following resolution:

WHEREAS, the costs of providing the Code of the Town of Clarkstown and supplements have substantially increased;

NOW, THEREFORE, be it

RESOLVED, that the cost of supplying the Code to the general public is increased from \$55.00 to \$138.00 effective immediately for each Code with supplements furnished to the date of sale, and be it

FURTHER RESOLVED, that the costs of furnishing supplements shall be at the rate of \$20.00 per year for purchasing of said Code, effective immediately, except to those current subscribers which charge shall be effective as of January 1, 1981.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (354-1980)

APPOINTING DRAFTER  
(PROVISIONALLY) ENVIRON-  
MENTAL CONTROL DEPARTMENT  
(ARLETTE DeBOK)

Co. Longo offered the following resolution:

WHEREAS, there is a vacancy in the position of Drafter - Environmental Control Department -

NOW, THEREFORE, be it

RESOLVED, that Arlette DeBok, 3 Trimble Street, Garnerville, New York, is hereby appointed provisionally to the position of Drafter - Environmental Control Department, at the annual salary for 1980 of \$9,778., effective and retroactive to April 21, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (355-1980)

CREATING POSITION OF  
RESEARCH ASSISTANT (CETA)  
ROCKLAND COUNTY YOUTH  
BUREAU

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on April 1, 1980, that the position of Research Assistant (CETA) - Rockland County Youth Bureau can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Research Assistant (CETA) Rockland County Youth Bureau, is hereby created effective and retroactive to April 1, 1980.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

AAE505

RESOLUTION NO.(356-1980)

APPOINTING RESEARCH  
ASSISTANT (CETA) ROCKLAND  
COUNTY YOUTH BUREAU  
(PATRICK BROWN)

Co. Longo offered the following resolution:

RESOLVED, that Patrick Brown , 17 Demarest Avenue, West Nyack, New York, is hereby appointed to the position of Research Assistant (CETA) - Rockland County Youth Bureau, at the annual salary for 1980 of \$10,330., effective and retroactive to April 1, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (357-1980)

REAPPOINTING MEMBER OF  
CLARKSTOWN CONSUMER  
AFFAIRS COMMISSION  
(IRENE SACCEDE)

Co. Maloney offered the following resolution:

RESOLVED, that Irene Saccende, 11 Windmill Lane, New City, New York is hereby reappointed a member of the Clarkstown Consumer Affairs Commission, to serve without compensation, term to expire on April 4, 1983.

Seconded by Co. Holbrook

On roll call the vote was as follows:

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

\* \* \* \* \*

Before voting Councilman Lettre noted that he wished to sit down with Mr. James Farkas and compare our commission with his office to make sure that there was no duplication of service and to ensure that we do not have a powerless board and that was his reason for voting "No" at this time.

Councilman Longo noted that he felt the same way that Councilman Lettre. He stated that he had been looking into this Board and that it is almost non-functional. He felt the Board was not living up to the by-laws governing it. He made various comments and concluded that it was a complete waste and he voted "No" for those reasons.

Councilman Maloney remarked that he was the liaison for this Commission and had attended every meeting and felt Councilman Longo had no basis for his remarks because he had never seen him at a meeting. He felt the Commission was doing the job it was set up to do despite difficulties. He had requested meeting with Mr. Farkas or a representative to see if it could be ascertained where the two agencies were duplicating services but Mr. Farkas could not set up a meeting with them. Councilman Maloney stated that there had been monthly meetings and one special meeting since the first of the year and much had been accomplished.

This matter will be looked into and brought up at a workshop meeting before any decision is made re disbanding this Commission.

\* \* \* \* \*

Councilman Holbrook stated that a couple of weeks ago the Town of Clarkstown instituted proceedings against Venture Inn in what I understood at that time was a point of law as to the public's right to be informed. There have been some actions taken by the Town which I cannot agree with nor can I condone them because I feel them to be wrong and of a purely punitive nature and contrary to the purposes for which they were executed in the first place .

RESOLUTION NO. (358-1980)

TERMINATING SERVICES OF  
FREDERICK P. ROLAND -  
DISCONTINUING CONTEMPT  
PROCEEDINGS - APPOINTING  
TOWN ATTORNEY TO HANDLE  
MATTER

Co. Holbrook offered the following resolution:

RESOLVED, that the services of Special Counsel, Frederick P. Roland in the Town's case against Venture Inn be terminated, and be it

FURTHER RESOLVED, that the contempt proceedings against Venture Inn be discontinued, and be it

FURTHER RESOLVED, that the remaining legal proceeding be handled by the Town Attorney.

Seconded by Co. Maloney

On roll call the vote was as follows:

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

\* \* \* \* \*

Councilman Maloney stated that he felt the intent was not to harass the people who were opening the home but to bring about some order until people could ascertain just what was what.

Supervisor Dusanenko felt he could not send someone to Court with one hand tied behind him. For the good of the Town the attorney must be given every possible tool to defend the Town. He was only concerned that all people involved, no matter on what side, conform to the laws and court decisions of this country. He stated that just because there is a noble cause involved that does not entitle people to be irresponsible.

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RESOLUTION NO. (359-1980)

DISCONTINUING CONTEMPT  
PROCEEDINGS AGAINST  
VENTURE INN

Co. Holbrook offered the following resolution:

RESOLVED, that the contempt proceedings against Venture Inn be discontinued.

Seconded by Co. Maloney

On roll call the vote was as follows:

AAE505

RESOLUTION NO. (359-1980) Continued

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

\* \* \* \* \*

Councilman Lettre felt that the bottom line here was the denial of basic rights of the residents to a Public Hearing and also the fact that the Venture Inn people did not present their position to the residents. He felt that the hostility present here would have been avoided if a public hearing had been held.

Councilman Maloney explained that this resolution was merely to remove the contempt charges. The suit could still go on but the contempt charges would be removed.

\* \* \* \* \*

Supervisor Dusanenko noted that the people in charge of this group home had chosen not to have a public hearing because they felt a group home was best established in communities in this "behind the door" manner. If it is determined in a court of law that these same people have a contempt for our legal system and the judicial system I am not going to whitewash them of their personal obligations in following the same laws which they have thrown in the face of this Town Board and others in our community. The contempt proceedings will stand.

\* \* \* \* \*

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

APPEARANCE:                   Mr. John Lodico  
                                  2 Birch Drive  
                                  New City, New York 10956

Mr. Lodico spoke with regard to the negotiations for the new contract for Town employees. He mentioned the sweetheart contract which had been negotiated under the last Town Board without the aid of the three incoming councilmen. The Town had paid \$20,000. to a professional negotiator who did an outstanding job. Unfortunately, his findings and the money which the citizens of Clarkstown paid for his negotiations went down the drain because two members of the five member board negotiated privately. We became the nation's second highest give-away government. To my knowledge we are the only government in the United States to pay more than required under a binding arbitration award. We have not seen the last of the bonding required to pay the last contract. I would hope that the Town would consider hiring a professional negotiator and preferably the one we had the last time.

\* \* \* \* \*

Supervisor Dusanenko asked if there was anyone further wishing to be heard. No one appeared.

Supervisor Dusanenko then made the following statement:

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"It is with deep regret that I make the following announcement: Effective tomorrow morning, or midnight tonight, there will be a new Deputy Supervisor for the Town of Clarkstown - that of the Comptroller, Dorothy Erard.

There being no further business to come before the Town Board, Town Board Meeting was adjourned, time: 10:00 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

AAE505

PUBLIC HEARING  
TOWN OF CLARKSTOWN

Town Hall

4/22/80

8:34 P.M.

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

RE: PROPOSED AMENDMENT TO ZONING ORDINANCE - R-15 DISTRICT TO  
LIO DISTRICT - BJB PROCESSOR SERVICE, INC.

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 referred to correspondence from the Planning Board of the Town of Clarkstown. He noted that the Planning Board did not recommend the zone change because the uses permitted by the proposed change would not be appropriate in the area; that the zone change would exacerbate drainage conditions existing in the area; that there is land currently zoned for similar development in the Town: the Town Development Plan shows this area as zoned for residential land use; and this would tend to encourage other requests for office use further to the west.

Mr. Johns also presented a petition signed by approximately 370 residents in and about the area opposed to the proposed change.

APPEARANCE: Ronald Kahn, Esq.  
369 South Main Street  
New City, New York 10956

Mr. Kahn appeared on behalf of the petitioner. The property in question is located on Jerry's Avenue and Prospect Street in Nanuet. The reason the request is being made at this time is that BJB is the contract vendee of the property and wishes to purchase the property for the purpose of erecting a small film processing service building for its business. It would not be a retail operation, but strictly a wholesale operation. There would be very little traffic and it would be a one-man operation. The principal of BJB Film Processing is a man named Joe Meyers, who is here tonight. Mr. Meyers is a resident of Nanuet and lives at 74 Prospect Street, two blocks away from the area in question. It is not his intention to do anything that would be detrimental to the area zone-wise or to hurt the Town in any way.

The zone line cuts this property approximately in half. It is partly residential and partly LIO. The bulk of the property, it should be noted, is 23,000 some odd square feet. If the Town did grant this change we would still have to go before the Planning Board and the Architectural Review Board.

Noting the Planning Boards recommendation that this would not be appropriate to the area Mr. Kahn noted that there were other light industrial businesses in the immediate area.

He presented pictures, maps and gave explanation of the area. He noted that Jerry's Avenue would form a sensible boundary and that drainage requirements would be met. Mr. Kahn asked for LIO zoning noting that as the parcel is now zoned nothing can be done with it.

APPEARANCE: Mr. William Austin  
33 Rolling Ridge Road  
New City, New York 10956

Mr. Austin is a real estate agent, familiar with the property and the area. Upon questioning, Mr. Austin stated that he did not

think the property could be used for residential purposes. He noted that a residential builder would probably not be interested in the property. He felt Mr. Meyer's intended use of the property would be excellent. He thought that this use would be beneficial to the area.

APPEARANCE: Mr. Nat Siegel  
13 Hillside Road  
Monroe, New York

Mr. Siegel stated that he was a professional engineer. He had owned the property for many years. It was purchased as three separate parcels. Three-quarters of the property was in commercially zoned area and only one-quarter in residentially zoned area. He presented tax bills showing that as late as 1974 these pieces were taxed as three separate parcels. In 1975 the Tax Assessor raised the taxes stating that it was an LIO zone. They have been paying taxes since then at the raised rate. At the time it was reassessed they felt that it was too small to be used as LIO but could not "fight City Hall".

As the parcel stands now it is frequently used as a dumping ground. Its proposed use would be as close to residential as possible. There would be a brick facade with two double windows. The space between Jerry's Avenue and the building would be landscaped as per the Architectural Review Board's requirements. This would certainly be an improvement to the area. The owner certainly has no intention of hurting the quality of life in the area.

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

APPEARANCE:

IN FAVOR: No one appeared.

IN OPPOSITION: Mr. Jay Tinger  
8 Jerry's Avenue  
Nanuet, New York 10954

Mr. Tinger, as representative of the Nanuet Heights Civic Association, made a lengthy statement which set forth the reasons for the Association's opposition to the rezoning. He urged the Board not to allow this as others would then seek to do the same thing and by encroaching into this residential area it would make it difficult for the owners to sell.

APPEARANCE: Mr. John Hlipala  
14 Babcock Avenue  
Nanuet, New York 10954

Mr. Hlipala stated that he felt this was a clear encroachment on residential property. He thought it was a violation of the entire Clarkstown Master Planning scheme. He felt it would deter people from improving their own residential property.

APPEARANCE: Mrs. Carole Frost  
65 Prospect Street  
Nanuet, New York 10954

Mrs. Frost stated that all the commercial buildings are east of Jerry's Avenue and by trying to put this enterprise west you are definitely encroaching on residential area.

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APPEARANCE: Mrs. Varda Corish  
10 Clover Drive  
West Nyack, New York 10994

Mrs. Corish stated that she owns the two houses directly across the street from the property in question. The way the taxes are going she might want to sell the property one day. She felt she would have to ask to have her property zoned L10 if this change were to go through.

APPEARANCE: Mr. Stephen Boross  
13 Fisher Avenue  
Nanuet, New York 10954

Mr. Boross stated that over the years there have been many changes on Fisher Avenue one of which made our residential area into commercial despite my objections. There is a traffic problem on Fisher Avenue and we do not want to add to it.

APPEARANCE: Mr. William Ryan  
12 Freemont Avenue  
Nanuet, New York 10954

Mr. Ryan stated that this proposal was not in the best interest of the community. It had been turned down by the Planning Board and the Department of Environmental Control. We must draw the line in terms of property which is zoned commercial and property which is zoned residential. If it is not stopped Prospect Street will become another Route 59 and nobody here wants that.

APPEARANCE: Mr. Richard Leutholt  
20 Jerry's Avenue  
Nanuet, New York 10954

Mr. Leutholt asked why Mr. Meyers had purchased the property when he knew it wasn't zoned commercial. Why should he buy this and try to ram commercial property down our throat? I ask the board to vote your conscience. If you lived in our area would you vote for this zone change?

Mr. Kahn spoke in rebuttal. In this particular case we are not talking about a fresh piece of property. We are asking that the zone line within a parcel of property now be moved to a natural buffer which would be the street line. Presently this parcel is zoned approximately 12,000 feet commercial and 11,400, less than half of it, zoned residential. Neither I nor Mr. Meyers intended to suggest that this neighborhood was unsightly. We merely mentioned the properties that are presently located on Prospect Street. In answer to Mr. Leutholt's question as to why Mr. Meyers purchased the property it was simply that he wished to locate his business in his own area and did not intend to destroy that area. We are asking that 11,400 square feet be brought into an already existing L10 zone. To not do this Mr. Kahn feels would be to condemn the property to lay fallow without any solution whatsoever. It would bring back to the Town a decent ratable for this area.

With Mr. Kahn's rebuttal the Public Hearing was declared closed on motion of Councilman Longo, seconded by Councilman Lettre and unanimously adopted, DECISION RESERVED, time: 9:20 P.M.

Respectfully submitted,

*Patricia Sheridan*  
PATRICIA SHERIDAN,  
Town Clerk

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