

TOWN OF CLARKSTOWN  
TOWN BOARD MEETING

Town Hall

8/12/80

8:45 P.M.

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

Supervisor Dusanenko declared the Town Board meeting;  
assemblage saluted the Flag.

RESOLUTION NO. (609-1980)

ADJOURNING REGULAR TOWN  
BOARD MEETING IN ORDER  
TO HOLD SCHEDULED PUBLIC  
HEARING

Co. Maloney offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned  
in order to hold scheduled Public Hearing re: Amendments to the  
Zoning Ordinance of the Town of Clarkstown, time: 8:46 P.M.

Seconded by Co. Holbrook

All voted Aye.

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RESOLUTION NO. (610-1980)

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 re: Amendments to the Zoning Ordinance of  
the Town of Clarkstown having been held, amendments DENIED, time:  
8:52 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (611-1980)

DENYING PROPOSED AMENDMENTS  
TO ZONING ORDINANCE

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by  
resolution adopted on the 24th day of June, 1980, provided for a  
public hearing on the 12th day of August, 1980, at 8:30 P.M., to  
consider the adoption of the attached amendments 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 duly held  
at the time and place specified in said notice, and

WHEREAS, the Town Board of the Town of Clarkstown carefully  
considered said proposed amendments to the Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that for reasons of public health, safety and  
welfare, the aforesaid proposed amendments to the Zoning Ordinance  
of the Town of Clarkstown be and the same are hereby DENIED.

(Amendments on filed in Town Clerk's Office)

Seconded by Co. Maloney

All voted Aye.

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AAJ375

RESOLUTION NO. (611-A-1980)

REFERRING AMENDMENTS TO  
THE ZONING ORDINANCE TO THE  
CLARKSTOWN PLANNING BOARD  
AND THE ROCKLAND COUNTY  
PLANNING BOARD AND SETTING  
A PUBLIC HEARING

Co. Longo offered the following resolution:

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 the amendment to the said Zoning Ordinance;

NOW, THEREFORE, be it

RESOLVED, that a public hearing pursuant to Section 264 of the Town Law be held at the Auditorium of the Town Hall, 10 Maple Avenue, New City, New York, on the 9th day of September, 1980, at 9:30 P.M., to consider the adoption of the following proposed amendments to the Zoning Ordinance of the Town of Clarkstown, and be it

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

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

AMEND Table 14, LIO District, Column 8, Item 10 by deleting in its entirety.

AMEND Table 14, LIO District, Column 2, Item 5 by deleting in its entirety and substituting the following:

- Item 5. Warehouses and wholesale distribution centers with related offices and showrooms with trucking limited solely to daytime hours except as provided by special permit of the Town Board.

AMEND Table 14, LIO District, Column 3, Paragraph B, TOWN BOARD, by adding the following:

- Item 7. Warehouses and wholesale distribution centers with related offices and showrooms with trucking for shipping and receiving of goods permitted between 11:00 P.M. and 7:00 A.M. upon such terms and conditions that the Town Board shall deem in the public interest.

AMEND Table 15, M District, Column 8, Item 10, by deleting in its entirety.

AMEND Table 15, M District, Column 2, Item 5 by deleting in its entirety and substituting the following:

RESOLUTION NO. (611-A) Continued

Item 5. Warehouses and wholesale distribution centers with related offices and showrooms with trucking limited solely to daytime hours except as provided by special permit of the Town Board.

AMEND Table 15, M District, Column 3, Paragraph B, TOWN BOARD, by adding Item 10 as follows:

Item 10. Warehouses and wholesale distribution centers with related offices and showrooms with trucking for shipping and receiving of goods permitted between 11:00 P.M. and 7:00 A.M. upon such terms and conditions that the Town Board shall deem in the public interest.

Seconded by Co. Maloney

All voted Aye.

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AAJ375

RESOLUTION NO. (612-1980)

ADJOURNING REGULAR TOWN BOARD MEETING IN ORDER TO HOLD SCHEDULED PUBLIC HEARING (MILBUR HOMES)

Co. Lettre offered the following resolution:

RESOLVED, that the regular Town Board Meeting be adjourned in order to hold scheduled Public Hearing re: Petition for Change of Zone Application - Milbur Homes, time: 8:59 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (613-1980)

RESUMING REGULAR TOWN BOARD MEETING, SCHEDULED PUBLIC HEARING HAVING BEEN HELD (MILBUR HOMES)

Co. Longo offered the following resolution:

RESOLVED, that the regular Town Board meeting be resumed, scheduled Public Hearing re: Petition for Change of Zone re: Milbur Homes having been held, DECISION RESERVED, time: 9:45 P.M.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (614-1980)

AUTHORIZING SUPERVISOR TO EXECUTE A LEASE (LAKEVIEW SENIOR CITIZEN COMPLEX)

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown is presently leasing the Community Building in the Lakeview Senior Citizen Complex for the use of the Senior Citizen Clubs sponsored by the Clarkstown Parks Board and Recreation Commission, and

WHEREAS, the Town of Clarkstown desires to renew said lease commencing September 1, 1980 and terminating August 31, 1981;

RESOLUTION NO. (614-1980) Continued

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to renew said lease with Spring Valley Homes Associates through their managing agents, Arco Management Corp., for the continued use of the Community Building, at a rental fee of \$16,000 per annum, which renewal shall be in a form satisfactory to the Town Attorney, and be it

FURTHER RESOLVED, that the sum of \$16,000 per annum be taken from Account No. 8840-505.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (615-1980)

AUTHORIZING SUPERVISOR  
TO ENTER INTO AGREEMENT  
(FARO AMUSEMENTS, INC.)

Co. Longo offered the following resolution:

WHEREAS, Faro Amusements, Inc., has submitted a written proposal to the Town of Clarkstown in connection with the operation of amusement games at certain Town recreation areas, and

WHEREAS, the Town of Clarkstown will receive fifty per cent of the revenues from the operation of such amusement games;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to enter into an agreement with Faro Amusements, Inc., for the installation and operation of amusement games at certain Town recreation areas.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (616-1980)

AUTHORIZING PAYMENT OF  
JUDGMENT (N.C.C. ASSOCIA-  
TION, INC.) - INCREASE  
ESTIMATED REVENUE ACCOUNT  
NO. 02-002555.00 AND  
APPROPRIATION ACCOUNT NO.  
B-1930-505

Co. Longo offered the following resolution:

WHEREAS, N.C.C. Association, Inc., has obtained a judgment against the Town of Clarkstown, the Assessor and the Board of Assessment Review in the amount of \$239.91 in a successful certiorari;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown pay said judgment in the amount of \$239.91, 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 \$240.00, and be it

FURTHER RESOLVED, that the Town Attorney obtain proper satisfaction of said judgment upon delivery of the sum of \$239.91 to N.C.C. Association, Inc.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (617-1980)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ERECT SIGN  
"NO PARKING HERE TO CORNER"  
WEST BURDA PLACE, SPRING  
VALLEY, NEW YORK

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, "No Parking Here to Corner". This sign should be erected on the East side of West Burda Place, 30 feet North of West Clarkstown Road, Spring Valley.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (618-1980)

AUTHORIZING SUPERINTENDENT  
OF HIGHWAYS TO ERECT "STOP"  
SIGN - DORAL COURT AT ZUKOR  
ROAD, NEW CITY, NEW YORK

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 "Stop" sign on the north west corner of Doral Court, at Zukor Road, New City, New York.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (619-1980)

AUTHORIZING SUPERVISOR  
TO EXECUTE LEASE (CLARKSTOWN  
COUNSELING CENTER - ARTHUR  
MOSKOFF)

Co. Longo offered the following resolution:

WHEREAS, the Town of Clarkstown is presently renting space at 44 South Main Street, New City, New York, for the use of the Clarkstown Counseling Center, and

WHEREAS, the Town of Clarkstown desires to continue the use of said premises;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to execute a lease with Arthur Moskoff, Esq., for premises located at 44 South Main Street, New City, New York, to be used by the Clarkstown Counseling Center to continue its counseling program at a rental of \$565 per month which lease shall run from September 1, 1980 to August 31, 1981, and be it

FURTHER RESOLVED, that the annual rent of \$6,780.00 be taken from Line No. 4201-401.

Seconded by Co. Holbrook

All voted Aye.

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AAJ375

RESOLUTION NO. (620-1980)

TRANSFERRING FUNDS FROM  
APPROPRIATION ACCOUNT  
NO. A 1620-413 TO ACCOUNT  
NO. A 1620-323

Co. Longo offered the following resolution:

RESOLVED, that \$100.00 be transferred from Appropriation  
Account No. A 1620-413 to Account No. A 1620-323.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (621-1980)

AUTHORIZING TOWN ATTORNEY  
TO DEFEND PROCEEDING AGAINST  
TOWN OF CLARKSTOWN (JEAN DE  
BROT AND MARGARET DE BROT)

Co. Longo offered the following resolution:

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

JEAN DE BROT and MARGARET DE BROT,

Petitioners,

-against-

ROBERT H. BOWMAN, as Chief Building Inspector  
of the Town of Clarkstown, WILLIAM J. CAREY, as  
Chairman, and SIDNEY REIFF, JOSEPH MARAIA,  
WILLIAM NIEHAUS, RODMAN HERBERT, ELIZABETH  
SQUILLACE and PHYLLIS BULHACK, as members of the  
Board of Appeals of the Town of Clarkstown,

Respondents,

For an Order pursuant to Article 78, CPLR,  
directing the aforesaid Respondents to rescind  
and annul the determination of Petitioners' guilt  
of violation of the Code of the Town of Clarkstown,  
and for other appropriate relief.

NOW, THEREFORE, be it

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

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (622-1980)

AUTHORIZING TOWN ATTORNEY  
TO INSTITUTE AN ACTION  
(MITCHELINA AND RITA CARBONE)

Co. Longo offered the following resolution:

RESOLVED, that the Town Attorney of the Town of Clarkstown  
is hereby authorized to institute an action in Supreme Court, Rockland  
County, to enjoin violation of the Zoning Ordinance of the Town of  
Clarkstown as a result of the failure of MITCHELINA and RITA CARBONE  
to comply with the prior notices of the Building Inspector of the Town  
of Clarkstown requiring the compliance with Section 29-11 of the Zoning  
Ordinance of the Town of Clarkstown.

Seconded by Co. Maloney

All voted Aye.

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RESOLUTION NO. (623-1980)

TRANSFER OF FUNDS FROM  
ACCOUNT NO. A 1410-0204  
TO ACCOUNT NO. A 1410-0201

Co. Longo offered the following resolution:

RESOLVED, that the Comptroller is hereby authorized to transfer funds from Account No. A 1410-0204 to Account No. A 1410-0201 in the amount of \$775.36 to cover overdraft of \$775.36 which was inadvertently taken from the wrong account.

Seconded by Co. Lettre

All voted Aye.

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RESOLUTION NO. (624-1980)

SETTING PUBLIC HEARING FOR  
EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT NO. 1 TO INCLUDE  
MICHAEL MOUACDIE

AAJ375

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated May 14, 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 No. 1 in the said Town, to be bounded and described as follows:

Schedule A

All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Clarkstown, County of Rockland, State of New York, bounded and described as follows:

BEGINNING at a point on the westerly line of Rose Road, said point being the southeast corner of a right-of-way known as Ruhe Lane, and running thence,

Westerly along the southerly line of Ruhe Lane,  
N85° 45' 00"W, 152.88 feet; thence

Southerly along lands N/F Merla (Tax Lots 32-1-A-17.01 and 32-1-A-17.02), the following (5) courses and distances,

1. S1° 57' 10"W, 47.42 feet; thence,
2. S85° 45' 00"E, 7.61 feet; thence,
3. S1° 57' 10"W, 63.66 feet; thence,
4. N85° 45' 00"W, 3.25 feet; thence,

5. S1° 57' 10"W, 71.44 feet; to a point in the lands N/F Ruderman (Tax Lot 32-1-A-18.01); thence Westerly N88° 02' 50"W, 588.75 feet to the easterly side of N.Y.S. Hwy. # 9361, Route 304, thence

Northerly along the easterly side of the aforementioned highway N19° 44' 22"W, 12.90 feet; thence

Still along the highway N10° 15' 12"E, 245.54 feet to a point; thence

Easterly S85° 45' 00"E, 694.67 feet to the westerly side of Rose Road; thence

RESOLUTION NO. (624-1980) Continued

Southerly along the westerly line of Rose Road the following (2) courses and distances

- 1. S14° 27' 50"E, 2.92 feet
- 2. S11° 35' 20"E, 49.10 feet to the point or place of

BEGINNING.

Being further known and designated as Ruhe Lane, Lot #1 and Lot #2 on a map entitled: "Minor Subdivision of Lot 17.03 Block A, Tax Map 32-1", excepting that portion of the above described premises already within the water district.

Containing 3.386 acres more or less.

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 9th day of September, 1980, at 8:20 P.M. DST time to consider the said petition and to hear all persons interested in 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. Maloney

All voted Aye.

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RESOLUTION NO. (625-1980)

SETTING PUBLIC HEARING FOR EXTENSION OF CLARKSTOWN CONSOLIDATED WATER SUPPLY DISTRICT NO. 1 TO INCLUDE DEMAR DEVELOPMENT CORP.- TARRY HILL

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated November 15, 1979 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 No. 1 in the said Town, to be bounded and described as follows:

Schedule A

PARCEL 1

COMMENCING at a point in the northerly line of Phillips Hill Road at its intersection with the westerly line of North Main Street (Old Route 304), and running thence, along the northerly line of Phillips Hill Road, N 87°-49'-25" W, a distance of 231.82 feet to a point, thence still along same N 86°-07'-15"W, a distance of 248.48 feet to the POINT OF BEGINNING; thence still along same:

- 1. N 86°-07'-15" W, a distance of 417.90 feet; thence,
- 2. N 08°-17'-12" E, a distance of 357.27 feet; thence,
- 3. N 84°-57'-36" W, a distance of 449.47 feet; thence,
- 4. N 06°-24'-05" E, a distance of 383.59 feet; thence,

RESOLUTION NO. (625-1980) Continued

- 5. S 86° -34' -35" E, a distance of 13.90 feet; thence,
- 6. N 06° -46' -11" E, a distance of 574.94 feet; thence,
- 7. S 86° -22' -54" E, a distance of 754.46 feet; thence,
- 8. S 03° -37' -06" W, a distance of 290.00 feet; thence,
- 9. S 86° -22' -54" E, a distance of 32.41 feet; thence,
- 10. S 04° -19' -46" W, a distance of 1036.48 feet to the POINT OF BEGINNING.

CONTAINING 21.180 Acres, more or less.

AAJ375

PARCEL II

BEGINNING at the terminus of course 9. above and running thence,

- 1. S 86° -22' -54"E, a distance of 424.10 feet to a point in the westerly side of North Main Street; thence,
- 2. along same, S 01° -07' -35" W, a distance of 47.14 feet; thence,
- 3. still along same, S 00° -26' -20" W, a distance of 278.02 feet; thence,
- 4. N 86° -59' -31" W, a distance of 445.68 feet; thence,
- 5. N 04° -19' -46" E, a distance of 329.46 feet to the POINT OF BEGINNING.

CONTAINING 3.264 Acres, more or less.

EXCEPTING therefrom all those portions of the above described premises already included in said Water District.

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 9th day of September, 1980, at 8:22 P.M. DST time to consider the said petition and to hear all persons interested in 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. Maloney

All voted Aye.

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RESOLUTION NO. (626-1980)

SETTING PUBLIC HEARING  
FOR EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT NO. 1 TO INCLUDE  
JHM HOMES, INC.- SASSON  
HOMES

Co. Longo offered the following resolution:

Whereas, a written Petition dated July 22, 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 No. 1 in the said Town, to be bounded and described as follows:

RESOLUTION NO. (626-1980) Continued

Schedule A

BEGINNING at a point on the easterly right-of-way line of Kings Highway, said point being located at the northwest corner of lands now or formerly of Anna C. Alexander (Tax Lot 110-A-20.02); running thence along the easterly right-of-way line of Kings Highway the following two (2) courses and distances:

1. N 31 -10 -00 E, a distance of 123.00 feet;
2. on a curve to the left having a radius of 1767.50 feet, an arc length of 68.82 feet; thence
3. S 77 -48 -39 E, along the southerly line of lands now or formerly of Edward Huffman Jr., a distance of 153.00 feet; thence
4. N 27 -14 -03 E, along the easterly line of lands now or formerly of Edward Huffman, Jr., a distance of 104.98 feet; thence
5. N 20 -37 -38E, along the easterly line of lands now or formerly of James A. Foley, a distance of 103.94 feet; thence
6. S 77 -48 -39 E, along the southerly line of lands now or formerly of Regina M. Bedner, a distance of 615.60 feet; thence
7. S 29 -40 -12 W, along the westerly line of lands now or formerly of the New York Central Railroad, a distance of 648.89 feet; thence
8. N 58- 50 -00W, along the northerly line of lands now or formerly of G. and Desai B. McCleery, John Grieco, Michael S. Korsower and Anna C. Alexander, a distance of 716.23 feet to the point or place of BEGINNING.

Excepting that portion that is within the existing water district.

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 9th day of September, 1980, at 8:24 P.M., DST time to consider the said petition and to hear all persons interested in 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. Maloney

All voted Aye.

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RESOLUTION NO. (627-1980)

SETTING PUBLIC HEARING FOR  
EXTENSION OF CLARKSTOWN  
CONSOLIDATED WATER SUPPLY  
DISTRICT NO. 1 TO INCLUDE  
INDIANHEAD DEVELOPMENT  
CORP. - DEMAREST HEIGHTS

Co. Longo offered the following resolution:

WHEREAS, a written Petition dated July 21, 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 No. 1 in the said Town, to be bounded and described as follows:

RESOLUTION NO. (627-1980) Continued

Description of Lands of Demarest Heights  
Subdivision

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

BEGINNING at a Rockland County monument on the westerly line of Demarest Mill Road (33 feet wide) where the same is intersected by the northerly line of lands now or formerly of Elliott and running thence;

- 1) N 86° -03' -43" W, 851.48 feet along the northerly line of the aforementioned Elliott and the northerly line of lands now or formerly of Schimpf to a monument on the easterly line of the New York State Thruway, thence;
- 2) N 32° -04' -35" W, 659.43 feet along the aforementioned New York State Thruway to a monument, thence;
- 3) Along a curve to the left having a radius of 707.00 feet for an arc length of 221.48 feet to a monument at the intersection of the New York State Thruway and the southerly line of lands now or formerly of Tuysuzian running thence;
- 4) S 86° -02' -09" E, 1529.81 feet along the southerly lines of lands now or formerly of Tuysuzian, now or formerly Zanchelli, now or formerly of Goldberg, the southerly terminus of Arbor Lane, lands now or formerly of Marschman and lands now or formerly of Fisher to a point where the same is intersected by the westerly line of lands now or formerly of Miller, running thence;
- 5) S 5° -13' -19" W, 224.47 feet along the lands of the aforementioned Miller, thence;
- 6) S 73° -24' -21" E, 165.00 feet to an iron pipe on the westerly line of Demarest Mill Road, (33 feet wide), thence;
- 7) along a curve to the left having a radius of 220.03 feet for an arc length of 119.26 feet to a Rockland County (33 feet wide) monument on the westerly line of Demarest Mill Road, thence;
- 8) S 33° -25' -39" W, 228.75 feet along the same to a Rockland County monument; thence;
- 9) S 36° -56' -54" W, 173.80 feet along the same to the point or place of BEGINNING.

Containing 19.643 acres of Land  
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 9th day of September, 1980, at 8:26 P.M. DST time to consider the said petition and to hear all persons interested in 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. Maloney

All voted Aye.

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AAJ375

RESOLUTION NO. (629-1980) Continued

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. (630-1980) SETTING PUBLIC HEARING REGARDING AN EXTENSION OF SPECIAL PERMIT (SABO AND HOPPER)

Co. Longo offered the following resolution:

WHEREAS, ANDREW SABO and BARRY HOPPER have made an application to the Town Board of the Town of Clarkstown for an extension of the Special Permit to conduct a gasoline filling station at the corner of Hemenway Avenue and Route 303, Congers, New York, pursuant to Section 106-16G of the Zoning Ordinance of the Town of Clarkstown;

NOW, THEREFORE, be it

RESOLVED, that a public hearing be had at the Auditorium of the Town Hall of the Town of Clarkstown, 10 Maple Avenue, New City, New York, on the 9th day of September, 1980, at 8:15 P.M., to consider the application of ANDREW SABO and BARRY HOPPER relative to said extension of the Special Permit, and be it

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

FURTHER RESOLVED, that all applicable fees except re-publication fees are hereby waived by the Town of Clarkstown.

Seconded by Co. Maloney All voted Aye.

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RESOLUTION NO. (631-1980) AUTHORIZING ATTENDANCE OF NATIONAL RECREATION AND PARKS CONGRESS (EDWARD J. GHIAZZA, SUPT. OF RECREATION AND PARKS)

Co. Longo offered the following resolution:

RESOLVED, based upon the recommendation of the Parks Board and Recreation Commission, that Edward J. Ghiazza, Superintendent of Recreation and Parks, is hereby authorized to attend the 1980 National Recreation and Parks Congress, October 18, 1980 through October 24, 1980 to be held in Phoenix, Arizona.

FURTHER RESOLVED, that all necessary and actual expenses not to exceed \$750.00 be allocated against accounts 7020-414, 7141-414, 7180-414, 7310-414, 7610-414.

Seconded by Co. Holbrook All voted Aye.

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AAJ375

RESOLUTION NO. (632-1980)

AWARDING BID FOR XEROGRAPHIC  
BOND COPY PAPER (PATTERSON  
CARD & PAPER CO.)

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that the bid for xerographic bond copy paper is hereby awarded to:

Patterson Card & Paper Co.  
730 Madison Avenue  
Patterson, New Jersey 07509

as per the following low bid proposal:

<u>Size</u>	<u>Product Identif</u>	<u>Price</u>
8-1/2" x 11"	Finch Opaque xerographic	@ 22.00/case
8-1/2" x 14"	" " "	@ 27.98/case

Xerographic Bond - Rolls - white

<u>Product</u>	<u>Price</u>
Manifest Roll Copy Paper Mfr: Eastern Paper	@ 13.35/case

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (633-1980)

AUTHORIZING THE ADVERTISING  
FOR BIDS FOR RESURFACING,  
COLORCOATING AND RESTRIPIING  
OF THREE TENNIS/BASKETBALL  
COURTS

Co. Longo offered the following resolution:

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

Bid #34-1980

Resurfacing, Colorcoating and Restripiing  
of three Tennis/Basketball Courts

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 10:30 A.M. on Thursday, September 4, 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. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (634-1980)

AUTHORIZING THE ADVERTISING  
FOR BIDS FOR PAVEMENT  
MARKING PAINT

Co. Longo offered the following resolution:

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

Bid #35-1980  
Pavement Marking Paint

bids to be returnable to the Office of the Director of Purchasing, 10 Maple Avenue, New City, New York by 11:00 A.M. on Wednesday, September 3, 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. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (635-1980)

TRANSFERRING FUNDS FROM  
APPROPRIATION ACCOUNT  
NO. A 4210-313 TO  
APPROPRIATION ACCOUNTS  
A 4210-204, A 4210-201  
AND A 4210-412

Co. Maloney offered the following resolution:

RESOLVED, that \$600.00 be transferred from Appropriation Account No. A 4210-313 to the following Appropriation Account Nos.:

A 4210-204 \$400.00  
A 4210-201 100.00  
A 4210-412 100.00

Seconded by Co. Longo All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (636-1980)

AUTHORIZING ATTENDANCE AT  
1980 SCHOOL FOR TOWN CLERKS  
AND TAX COLLECTING OFFICERS  
(PATRICIA SHERIDAN AND  
ANTHONY D'ANTONI)

Co. Longo offered the following resolution:

RESOLVED, that Patricia Sheridan, Town Clerk and Anthony D'Antoni, Receiver of Taxes, are hereby authorized to attend 1980 School for Town Clerks and Tax Collecting Officers to be held at the Sheraton Motor Inn, Liverpool, New York from August 17, 1980, to and including August 19, 1980, and be it

FURTHER RESOLVED, that all necessary charges not to exceed \$200.00 each, be made proper Town charges.

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

AAJ375

RESOLUTION NO. (637-1980)

AUTHORIZING FIRE LANE  
DESIGNATIONS (NEW CITY  
FIRE COMPANY)

Co. Maloney offered the following resolution:

WHEREAS, the New City Fire Company and the Fire Inspector of the Town of Clarkstown have recommended implementing certain provisions of Local Law No. 9-1971, as amended, known as the Vehicle and Traffic Law, more particularly designated as Chapter 44, Section 13 of the Code of the Town of Clarkstown, at the New City Fire Company fire station by the installation of fire lane designations, and

WHEREAS, the New City Fire Company, 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 New City Fire Company and the Fire Inspector with regard to the installation of certain fire lane designations at the fire station 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, and be it

FURTHER RESOLVED, that the members of the New City Fire Company are hereby exempt from complying with the regulations for parking within the fire station designations as hereinabove provided.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (638-1980)

REGARDING AFFIRMATIVE  
ACTION PROGRAM

Co. Maloney offered the following resolution:

RESOLVED, by the Town Board of the Town of Clarkstown that pursuant to the provisions of Title VI, of the Civil Rights Act of 1964, Section 109, of the Housing and Community Development Act of 1974, Executive Order 11246, the following affirmative action plan is hereby adopted by the Town of Clarkstown, and the procedures for the same are as follows:

- (1) CREATION OF NEW POSITION OR FILLING OF VACANCIES IN POSITIONS FOR WHICH NO CIVIL SERVICE LIST IS AVAILABLE

Upon the creation of a new title for which there is no existing civil service list, an advertisement shall be placed in the Journal News advertising the existence of the position, the starting salary and a summary of the minimum qualifications. Said advertisement shall include the information that the Town of Clarkstown is an equal opportunity employer. Announcements containing the same information shall be supplied to radio stations WRKL and WGRC.

Letters will be transmitted to the following organizations advising them of the availability of the position, the starting salary, a brief description of the job duties and the minimum qualifications.

AAJ375

RESOLUTION NO. (638-1980) Continued

- (a) NAACP - Spring Valley and Nyack Branch
- (b) Rockland County Center for the Physically Handicapped

(2) CREATION OF POSITIONS OR FILLING OF VACANCIES IN POSITIONS WHERE THERE ARE EXISTING CIVIL SERVICE LISTS

By law, these positions must be filled from existing civil service lists. The Town of Clarkstown will request that the County Personnel Office notify them of any impending civil service test to be given for these positions. The Town of Clarkstown will then notify the organizations listed in paragraph one (1) above of the test to be given including the date, time and place thereof.

(3) All applications and resumes obtained from the recruitment of personnel will be directed to the County Personnel Office for determination of qualifications for each position to be filled.

(4) The Personnel Office of the Town of Clarkstown has been designated as the Affirmative Action Coordinator for the Program.

Seconded by Co. Holbrook

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (639-1980)

ACCEPTING PROPOSALS FROM ORANGE & ROCKLAND UTILITIES, INC. FOR STREET LIGHTING AT VARIOUS LOCATIONS

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendations 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:

- |                           |                |
|---------------------------|----------------|
| Old Mill Road/Fulle Drive | Valley Cottage |
| Benson Street             | West Nyack     |
| Cranford Drive            | New City       |
| West Burda Place          | Spring Valley  |
| Woodthrush Drive          | West Nyack     |

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (640-1980)

AUTHORIZING SPRING VALLEY WATER COMPANY TO INSTALL THREE (3) HYDRANTS (OLD MILL ACRES-SECTION II

Co. Longo offered the following resolution:

WHEREAS, an emergency situation existed concerning Old Mill Acres Sec. II A as to the installation of fire hydrants and a proposal for the same was signed and delivered by hand with the approval of the Department of Environmental Control;

RESOLUTION NO. (640-1980) Continued

NOW, THEREFORE, be it

RESOLVED, that based upon the recommendations of the Director of Environmental Control, the Spring Valley Water Co. was authorized to install three (3) fire hydrants as shown on the attached sketch, which sketch and proposal were delivered to Spring Valley Water Company and a work order thereupon issued as of July 14, 1980.

Hydrant Investigation No. 8848

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (641-1980) AMENDED THE BUDGET BY INCREAS-  
ING ESTIMATED REVENUE ACCOUNT  
NO. 01-002999 AND APPROPRIATION  
ACCOUNTS NOS. A 8160-301 AND  
A 8160-409

Co. Longo offered the following resolution:

RESOLVED, that the budget be amended by increasing Estimated Revenue Account No. 01-002999 in the amount of \$696.00 and the following Appropriation Accounts Nos. be increased by:

- A 8160-301..... \$192.00
- A 8160-409..... 504.00

Seconded by Co. Maloney All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (642-1980) AUTHORIZING FIRE LANE  
DESIGNATIONS AT THE WEST END  
RESTAURANT

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 The West End Restaurant (106-A-42) by the installation of fire lane designations, and

WHEREAS, William B. Levy 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.

\* \* \* \* \*

RESOLUTION NO. (643-1980)

REJECTING BIDS RECEIVED FOR  
PAINTING TRAFFIC LINES ON  
TOWN ROADS

Co. Longo offered the following resolution:

RESOLVED, that based upon the recommendation of the Director of Purchasing that all bids received for the Painting of Traffic Lines on Town Roads are hereby rejected.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (644-1980)

SUSPENDING C & A CARBONE  
PRIVATE SANITATION OF NEW  
JERSEY FROM THE CLARKSTOWN  
SANITARY LANDFILL

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown held a hearing on December 19, 1979 on violations of the Sanitary Landfill Rules and Regulations by C & A Carbone Private Sanitation of New Jersey, Inc.;

NOW, THEREFORE, be it

RESOLVED, that C & A Carbone Private Sanitation of New Jersey is guilty as charged of violation of the Sanitary Landfill Rules and Regulations and is, therefore, suspended from the Clarkstown Sanitary Landfill for thirty (30) days, commencing five (5) days from the receipt of this decision and fined the sum of \$200.00.

Seconded by Co. Maloney

Before the roll call vote Supervisor Dusanenko noted that the hearings on this particular resolution had been held in 1979 and, therefore, Councilman Lettre and himself were not involved in the hearings and would have to abstain.

On roll call the vote was as follows:

Supervisor Dusanenko.....	Abstain
Councilman Holbrook.....	Yes
Councilman Lettre.....	Abstain
Councilman Longo.....	Yes
Councilman Maloney.....	Yes

\* \* \* \* \*

RESOLUTION NO. (645-1980)

AUTHORIZING SUPERVISOR TO  
ENTER INTO A SETTLEMENT  
AGREEMENT (MIELE SANITATION  
COMPANY)

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown held a hearing on violations of the Sanitary Landfill Rules and Regulations by Miele Sanitation Company, and

WHEREAS, the Miele Sanitation Company agrees to pay the Town of Clarkstown the sum of \$3,500.00 in connection with such violations, and

AAE505

RESOLUTION NO. (645-1980) Continued

WHEREAS, the Miele Sanitation Company further agrees to cease bringing in any refuse from the Rockleigh Industrial Park and make a good faith effort to discard all refuse collected by Miele Sanitation Company in the Towns of Clarkstown and Orangetown prior to the landfill closing and after closure of the landfill at the Clarkstown Recycling Center;

NOW, THEREFORE, be it

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with Miele Sanitation Company embodying the above settlements terms.

Seconded by Co. Lettre

Before voting, Councilman Holbrook stated that he would vote no, as he feels that the hearing should continue and that Mr. Miele cannot dissuade the Town Board by just writing out a check.

Mr. Lettre stated that he would vote yes as he feels that \$3,500.00 is a fairly harsh penalty and the money could be utilized by the Town of Clarkstown, since the person who misuses the landfill would still sustain a profit by asking someone else to run his route.

Mr. Longostated that he would vote yes as he feels this is the harshest penalty ever imposed and happy that the Town of Clarkstown is receiving \$3,500.00. This should deter others from violations.

Mr. Maloney stated that he would vote no as he believes the money amount is not justified. There have been too many violations in the past, and the Town has to have harsher penalties.

Mr. Dusanenko stated that he would vote yes as the Clarkstown Police Department is needed to protect life and property rather than following garbage trucks in New Jersey. The Supervisor noted the expense to taxpayers by having police follow trucks in order to validate the illegal dumping.

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (646-1980)

AMENDING THE ZONING ORDINANCE  
OF THE TOWN OF CLARKSTOWN  
(AUTO LAUNDRIES)

Co. Longo offered the following resolution:

WHEREAS, the Town Board of the Town of Clarkstown by resolution adopted on the 27th day of May, 1980, provided for a public hearing on June 24th, 1980, at 8:30 P.M., to consider the adoption of the following proposed amendments 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

RESOLUTION NO. (646-1980) Continued

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

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."

On roll call the vote was as follows:

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

\* \* \* \* \*

RESOLUTION NO. (647-1980)

AUTHORIZING TOWN OF CLARKSTOWN  
TO ACCEPT SEWER EASEMENT AT  
ROUTE 59, NANUET, NEW YORK

Councilman Longo offered the following resolution:

WHEREAS, ANNA CAMPBELL, VINCENT RICCIARDI, and MARIA SILEY are desirous of granting a sewer easement to the Town of Clarkstown, located at Route 59, Nanuet, New York;

NOW, THEREFORE, be it

RESOLVED, that the Town of Clarkstown hereby accepts a sewer easement from ANNA CAMPBELL, VINCENT RICCIARDI, and MARIA SILEY covering premises located at Route 59, Nanuet, New York, more particularly described in said easement agreement, for the sum of \$300.00, and be it

FURTHER RESOLVED, that the sum of \$300.00 be charged to the Contingency Account No. 1990-505.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (648-1980)

AUTHORIZING THE SUPERVISOR  
TO EXECUTE AN AGREEMENT  
(ROCKLAND COUNTY SEWER  
DISTRICT NO. 1)

Councilman Longo offered the following resolution:

RESOLVED, that the Supervisor of the Town of Clarkstown is hereby authorized to execute an agreement with the Rockland County Sewer District No. 1 for the construction by Rockland County Sewer District No. 1 of an interceptor sewer line bypassing the New Hempstead Road ejector station and leading into the Town lateral sewer line at a manhole in Buena Vista Road.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ375

RESOLUTION NO. (649-1980)

RESCINDING RESOLUTION NO.  
(388-1978) "NO PARKING" SIGNS  
ON LAKE ROAD, CONGERS

Co. Longo offered the following resolution:

RESOLVED, that Resolution No. (388-1978), erecting "No  
Parking" signs on Lake Road (East from the interesection of Burnside  
Avenue, Congers) is hereby rescinded.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (650-1980)

AUTHORIZING "NO PARKING FROM  
HERE TO CORNER" SIGN EAST  
FROM BURNSIDE AVENUE, CONGERS

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 install a sign to read, "No Parking From Here  
to Corner." This sign should be erected 20 ft. East from Burnside  
Avenue, Congers.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (651-1980)

ADOPTION AND ACCEPTANCE OF  
MINUTES OF JULY 8, 1980  
TOWN BOARD MEETING

Co. Longo offered the following resolution:

RESOLVED, that the Minutes of the Town Board meeting held  
on July 8, 1980, are hereby adopted and accepted as submitted by the  
Town Clerk.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (652-1980)

AUTHORIZING INCREASE IN  
ACCOUNT NO. A 1220-0313 AND  
ACCOUNT NO. 01-002999

Co. Longo offered the following resolution:

RESOLVED, that Account No. A 1220-0313 is hereby increased  
by \$500.00 and Revenue Account No. 01-002999 is hereby increased by  
\$500.00.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (653-1980)

AUTHORIZING INCREASE IN  
ACCOUNT NO. A 1410-0313  
AND ACCOUNT NO. 01-00299

Co. Longo offered the following resolution:

RESOLVED, that Account No. A 1410-0313 is hereby increased  
by \$800.00 and Revenue Account 01-00299 is hereby increased by \$800.00.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (654-1980)

AUTHORIZING INCREASE IN  
ACCOUNT NO. A 1315-0409  
AND ACCOUNT NO. 01-00299

Co. Longo offered the following resolution:

RESOLVED, that Account No. A 1315-0409 is hereby increased by \$10,200.00 and Revenue Account 01-00299 is hereby increased by \$10,200.00 for the payment of American Appraisal Company for fixed assets inventory.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (655-1980)

AUTHORIZING SUPERVISOR TO  
ENTER INTO AGREEMENT (ROCK-  
LAND COUNTY SENIOR CITIZENS,  
INC.)

Co. Lettre offered the following resolution:

RESOLVED, that the Supervisor is hereby authorized to enter into an agreement with the Rockland County Council for Senior Citizens, Inc., to use the Town of Clarkstown Community Center located at 58 Waldron Avenue, Central Nyack, as a site for a Senior Citizen Nutrition Program.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (656-1980)

ACCEPTANCE OF RESIGNATION  
(ANNE HOENNINGER)

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Anne Hoenninger, 6 Karl Court, Congers, New York - Office Worker-Student - Town Justice - is hereby accepted, effective and retroactive to July 25, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (657-1980)

AUTHORIZING PROMOTION TO  
DETECTIVE WITH CLARKSTOWN  
POLICE DEPARTMENT (JOHN  
KUBRAN)

Co. Maloney offered the following resolution:

RESOLVED, that based upon the recommendation of the Police Commission and Chief Schnakenberg, Police Officer John Kubran, 30 Demarest Avenue, West Nyack, New York, is hereby promoted to the position of Detective with the Clarkstown Police Department, effective and retroactive to July 7, 1980, at the annual salary for 1980 of \$24,958.00.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

AAJ375

RESOLUTION NO. (658-1980)

AUTHORIZING CREATION OF  
POSITIONS OF CLERKS (SEASONAL)

Co. Lettre offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on March 3, 1980, that (2) positions of Clerk (Seasonal) - can be created,

NOW, THEREFORE, be it

RESOLVED, that (2) positions of Clerk (Seasonal) - Receiver of Taxes Office - are hereby created, effective immediately.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (659-1980)

AUTHORIZING CREATION OF  
TYPIST POSITION (JUSTICE  
COURT)

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 27, 1980, that the position of Typist (competitive) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Typist - Justice Court - is hereby created, effective immediately.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (660-1980)

AUTHORIZING CREATION OF  
POSITION OF YOUTH EMPLOYMENT  
SERVICES ASSISTANT

Co. Maloney offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on July 11, 1980 that the position of Youth Employment Services Assistant (competitive) - Counseling Center - can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Youth Employment Services Assistant is hereby created, effective and retroactive to July 11, 1980.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (661-1980)

AUTHORIZING APPOINTMENT OF  
YOUTH EMPLOYMENT SERVICES  
ASSISTANT (GRANT KONNO)

Co. Maloney offered the following resolution:

RESOLVED, that Grant Konno, 87 Zukor Road, New City, New York, is hereby appointed provisionally to the position of Youth Employment Services Assistant - Counseling Center - at the annual salary for 1980 of \$9,335.00, effective and retroactive to July 11, 1980.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (662-1980)

AUTHORIZING CREATION OF  
POSITION OF STENO

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on May 12, 1980, that the position of Steno (competitive) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Steno - Town Clerk's Office - is hereby created, effective immediately.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

AAJ375

RESOLUTION NO. (663-1980)

ACCEPTANCE OF RESIGNATION  
OF WILLIAM J. BUSCH

Co. Longo offered the following resolution:

RESOLVED, that the resignation of William J. Busch, 140 Pascack Road, Pearl River, New York, as Senior Recreation Leader - Parks Board & Recreation - is hereby accepted with regret, effective and retroactive to July 17, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (664-1980)

AUTHORIZING APPOINTMENT TO  
POSITION OF LABORER (CETA)

Co. Longo offered the following resolution:

RESOLVED, that Raymond Schwander, 43 Poplar Street, Nanuet, New York, is hereby appointed to the position of Laborer (CETA) - Sanitary Landfill - at the annual salary for 1980 of \$9,778.00, effective and retroactive to July 29, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (665-1980)

AUTHORIZING APPOINTMENT  
AS MEMBER OF TOWN OF CLARKS-  
TOWN'S YOUTH COMMISSION

Co. Holbrook offered the following resolution:

RESOLVED, that Richard W. Anderson, 76 South Conger Avenue, Congers, New York, is hereby appointed as the teen-age resident member of the Town of Clarkstown's Youth Commission for a term to expire on April 7, 1981, to serve without compensation, retroactive to August 11, 1980.

Seconded by Co. Longo

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (666-1980)

AUTHORIZING CREATION OF  
POSITION OF STOREKEEPER

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 1, 1980, that the position of Storekeeper (competitive) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Storekeeper - Parks Board & Recreation - is hereby created, effective immediately.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (667-1980)

AUTHORIZING CREATION OF  
POSITION OF GROUNDWORKER

Co. Longo offered the following resolution:

WHEREAS, the Rockland County Personnel Office has certified on August 1, 1980, that the position of Groundworker (Labor) can be created,

NOW, THEREFORE, be it

RESOLVED, that the position of Groundworker - Parks Board & Recreation - is hereby created, effective immediately.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (668-1980)

AUTHORIZING APPOINTMENT TO  
POSITION OF GROUNDWORKER

Co. Longo offered the following resolution:

RESOLVED, that Fred Hastings, 40 Old Schoolhouse Road, New City, New York, is hereby appointed to the position of Groundworker - Parks Board & Recreation - at the annual salary for 1980 of \$11,239.00, effective August 25, 1980.

Seconded by Co. Lettre

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (669-1980)

ACCEPTANCE OF RESIGNATION  
OF DEBRA SHERMAN

Co. Longo offered the following resolution:

RESOLVED, that the resignation of Debra Sherman, 8 Topaz Court, Spring Valley, New York - Office Worker Student - Counseling Center - is hereby accepted, effective August 16, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (670-1980)

COMPLETION OF TRAINING  
PROGRAM (SPECIAL STUDIES  
INTERN) FINANCE DEPARTMENT

Co. Longo offered the following resolution:

RESOLVED, that Barbara O'Halloran, Route 9W, Diplomat  
Gardents, Apartment A-7, Piermont, New York, has successfully com-  
pleted the term of her training program - Special Studies Intern -  
Finance Department - without compensation, effective and retroactive  
to August 1, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (671-1980)

AUTHORIZING APPOINTMENT AS  
SPECIAL STUDIES INTERN  
(COMPTROLLER'S OFFICE)

Co. Longo offered the following resolution:

RESOLVED, that Donna Ewell, 116 Martin Place, Pearl River,  
New York, is hereby appointed to serve in a training program as a  
Special Studies Intern - Comptroller's Office - without compensation,  
effective and retroactive to August 4, 1980.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

RESOLUTION NO. (672-1980)

AUTHORIZING REAPPOINTMENT  
OF NED MEARA TO PARKS BOARD  
AND RECREATION COMMISSION

Co. Longo offered the following resolution:

RESOLVED, that Ned Meara, 27 Von Beaste Lane, Congers, New  
York, is hereby reappointed to the Parks Board and Recreation Commission,  
with a term to expire on August 15, 1985.

Seconded by Co. Maloney

All voted Aye.

\* \* \* \* \*

Supervisor Dusanenko asked if there was any further business.  
Councilman Holbrook requested information regarding work being done on  
Germonds Road. Supervisor Dusanenko stated that he would try to ascertain  
just what was being done and would let the Board know within a week or so.

Supervisor Dusanenko asked if there was any further business  
or anyone else wishing to be heard.

There being no further business and no one else wishing to be  
heard Supervisor Dusanenko declared the Town Board Meeting closed, time:  
10:35 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

AAJ375

TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/12/80

8:46 P.M.

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

RE: AMENDING THE ZONING ORDINANCE OF THE TOWN OF CLARKSTOWN -  
LIO DISTRICTS AND M DISTRICTS

On motion of Councilman Maloney, seconded by Councilman Holbrook and unanimously adopted the Public Hearing was declared open; Town Clerk read notice calling Public Hearing and testified as to proper posting and publication.

Supervisor Dusanenko asked Mr. Johns if there was any pertinent correspondence.

Mr. Johns stated that the Rockland County Planning Board recommended the disapproval of the proposal, stating that a deletion of daytime trucking only throughout the Town's LIO and M Zones would be potentially detrimental to some adjacent residential areas. Their recommendation would be to allow anytime trucking by special permit. This would offer a case-by-case review of this use.

Town of Clarkstown Planning Board recommended that they are not in agreement with the proposed amendment and to allow shipping and receiving between 11:00 P.M. and 7:00 A.M. The Planning Board does not wish to give blanket sanction as this could conceivably be detrimental to abutting residential areas. The Town Board is concerned that the Town may lose control over providing protection to abutting residential properties.

Mr. Johns gave an explanation of the proposed amendments regarding the times when shipping and receiving could take place.

Councilman Holbrook asked if this would have to go before the Zoning Board. Mr. Johns said, "No", if they needed a variance from that restriction, they would have to go before the Zoning Board of Appeals.

Councilman Holbrook asked if this would require a special permit. Mr. Johns stated that if special permits were to enter into this an entirely different amendment would have to be proposed.

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

IN FAVOR: No one appeared.

IN OPPOSITION

Appearance: Ms. Barbara Stegner  
North Conger Avenue  
Congers, New York

Mrs. Stegner stated that her home abuts on LIO Zone and has had experience with illegal night deliveries in that area from 3:00 A.M. to 5:00 A.M. and it is disturbing to her and her family. She does not think any town should give companies the right to disturb her peace and quiet at night and as a resident and taxpayer she is entitled to her peace and quiet.

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Mr. Johns pointed out that any favorable decision would have to be a majority plus one with stated reasons due to the disapproval of the County Planning Board.

There being no one further wishing to be heard on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was declared closed, DECISION RESERVED, time: 8:52 P.M.

Respectfully submitted,

*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk

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Please note that Supervisor Dusanenko then made a statement that this Town Board has voted unanimously on many occasions to bring in industries to relieve the tax burden carried by our residents of all ages. This industry has provided jobs for our residents in many cases. This past year we have brought industry to Congers. Even though just one person spoke her comments have a great deal of merit. While we want to bring industry into the Town we do not want to give blanket sanction to all and have our residents' tranquility disturbed.

We will direct the Town Attorney to set a date for a new Public Hearing with the same provision but with a provision also for special permit so that each case will come before the Town Board and be heard individually in order to preserve the rights of all.

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TOWN OF CLARKSTOWN  
PUBLIC HEARING

Town Hall

8/12/80

8:59 P.M.

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

RE: PETITION FOR CHANGE OF ZONE APPLICATION - MILBUR HOMES

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

Supervisor Dusanenko asked Mr. Johns if there was any correspondence relating to this zone change.

Mr. Johns stated that when this application was sent to the Rockland County Planning Board, it was sent as a proposal to R-10, and the Planning Board at that time disapproved the proposed zoning change and recommended R-22 rather than R-10. Subsequent to the that referral there was an amendment pursuant to a Clarkstown Planning Board recommendation that it be to R-15. Clarkstown Planning Board finds that the amended petition for a change of zone to R-15 would be of better use for the land and would enhance the area. It recommends that no more than seven semi-attached homes be built on Green Avenue and that the area in the rear of the property along Kings Highway be designated as open space to be dedicated to the Town for municipal purposes.

Mr. Johns wanted it read into the record that he, prior to January 1, 1980, had originally submitted the petition for Milbur Homes for amendment to the zoning ordinance. Prior to January 1, 1980 he had resigned as attorney for Milbur Homes and terminated all professional and financial arrangements in connection with the representation of Milbur Homes. Legal matters with regard to this application shall be referred to Philip Fogel, First Deputy Town Attorney.

Supervisor Dusanenko asked if the Town Board, in its deliberations, had suggested that these lands to the rear of the property not be dedicated but be retained by the owners to avoid any additional expense to the Town of Clarkstown.

Mr. Johns replied that that was correct and that a map had been submitted pursuant to those recommendations. However, the Planning Board had heard and made their recommendations prior to the submission of that map.

Supervisor Dusanenko stated that we did not want one home behind the other.

Mr. Johns replied that that could be incorporated into any resolution.

Martin Cornell, Esq., appeared as the attorney for the applicants George Miller and Anthony Balletta. He explained that the property consists of 9.4 acres and the proposal is to change the zoning from LS & P0 to R-15. The southern portion of the property is LS, and the northern portion is in a P0 zone.

Essentially the proposal would be for the lots to run the length of the property with frontage on Green Avenue and semi-attached houses would extend the full length of the property with owners owning property to the rear with no burden on the municipality as far as the rear property is concerned.

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Mr. Cornell noted that the houses would be in the \$60,000/ &70,000 price range which is desirable for young people and older people who would like to live in this type of unit.

In conclusion, Mr. Cornell said he thinks the the Planning Board's recommendation is correct and that this zoning is compatible with the surrounding area. He believes that the area will be upgraded and improved by this development.

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

IN FAVOR

Appearance: Mrs. Margaret Fitton  
11 Spruce Lane  
West Nyack, New York 10994

Mrs. Fitton stated that she has been a resident for twenty years and as a mother of growing young people she is concerned with the lack of housing for young people in our area. She does not want to see Clarkstown abandoned to upper middle income or high income people. The years go by very quickly and she feels none of us want to see our young people leaving because there is no adequate, affordable housing for them and their young families. Reasonable housing was available when we came to Clarkstown but this is no longer true. She wishes everyone to be open to the responsibility of a beautiful beginning. The builders are reputable and we should make room for this type of housing so that our young people can stay and live near their parents if that is their wish.

IN OPPOSITION

Appearance: Mrs. Marie Allgor  
Green Avenue  
Valley Cottage, New York 10989

Mrs. Allgor protested more homes and more families. She felt that light industry would be a boon to Valley Cottage.

Appearance: Mr. Frank Dwyer  
Green Avenue  
Valley Cottage, New York 10989

Mr. Dwyer asked on what basis the figure of \$60,000/\$70,000 homes was based and he also wished to know who pays for the sewers.

Supervisor Dusanenko noted that these questions would be taken up by Mr. Cornell in his rebuttal.

Appearance: Mr. Paul Tieramonte  
766 Birchwood Court  
Valley Cottage, New York 10989

He stated that he recently purchased his home for \$70,000 on one-third of an acre. He cannot see how half a house is going to go for \$70,000 on Green Avenue especially with the undesirable housing across the street. He mentioned a problem with flooding and stated that nothing has been done by the Environmental people.

Appearance: Mr. Seymour Dubbs, Manager  
Lake Road Condominiums

He raised questions regarding drainage and stated that it is a major problem in the area.

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Appearance: Ms. Kathy Schwab  
Green Avenue  
Valley Cottage, New York 10989

Ms. Schwab asked if one person was able to buy two or three houses would that person then be able to rent them out? Will the houses be like small apartments?

Appearance: Mr. Paul Schwenkel  
767 Birchwood Court  
Valley Cottage, New York 10989

Mr. Schwenkel complained of flooding conditions and said that the Environmental people can do nothing for him.

Appearance: Mr. Milton Chambers  
Sequoia Drive  
Valley Cottage, New York 10989

Mr. Chambers said he was not appearing in opposition nor was he in favor. He felt that before anything was done by the Board further studies should be made of the area and the builder should come in with environmental studies.

Appearance: Mrs. Dow

Is concerned about the looks of the village because it is a nice community and she is worried about leaving seven acres to the discretion of the buyers. She would like to see a definite plan for the seven acres.

Appearance: Vincent DiDonato  
7 Toni Court  
Valley Cottage, New York 10989

Mr. DiDonato said he bought his house three years ago and was told that the area would stay zoned for one-third acre. Why can't things stay as they are presently zoned.

Supervisor Dusanenko stated that the parcels in question are presently zoned LS or PO. The applicant feels that they cannot find tenants to build light shopping or professional office. The applicant is not going for a downzoning. This is actually an upzoning to make it consistent with your homes.

Appearance: Ms. Claire Borsafini (?)  
Lake Road Condominiums

She complained that there is only one road, Green Avenue, and it is too congested now.

Appearance: Ms. Mary Sweeter

She stated that she has been travelling along Green Avenue for forty years. Her house is opposite proposed building site. She has to bail her house out now.

Appearance: Unidentified Woman  
Cottage on Green Avenue

She stated that Green Avenue is "Indy 500" and the flooding is very bad. If fourteen units go in the traffic will be twice as bad. There are many small children and Green Avenue is unsafe.

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Appearance: Ms. Rose Conetta  
3 Toni Court  
Valley Cottage, New York

Mrs. Conetta complained in April about the condition of the creek. Nothing has been done. Now you are proposed more homes and there will be more water coming into the creek. She cannot see putting more houses until the problem of the creek is taken care of.

Appearance: Mr. Robert Fellows  
Lake Road Condominiums  
Valley Cottage, New York 10989

Mr. Fellows believes that there is a need for professional offices in the hamlet. He thinks shops and professional buildings would be better for the area. He feels it is important that the applicant demonstrate that they would suffer hardship if zone stays the same.

Appearance: Mr. Stephen Pavelka  
6 Toni Court  
Valley Cottage, New York 10989

Mr. Pavelka invited the Board to see the area because it is not as described by the applicant. He also questioned the amount of cars on Green Avenue. He stated that he is a Civil Engineer and once a flooding stream, always a flooding stream.

Martin Cornell spoke in rebuttal. He stated that the pricing of the house is based on square footage and actual size of the buildings. There would be no charge to taxpayers with regard to sewers. Professional office zoning is an area difficult to market except on heavily traveled areas or densely populated areas. He feels that office buildings on the property would be difficult to rent because it is not on a commercial street. The applicant, after study, feels it is clear that high density use would be difficult and make flooding worse. The proposed dwellings would have no basement and would be built up slightly higher than the road. The rear property would remain in a natural state. The applicant is willing to grant a conservation restriction would state that the back part of the property would never be developed. Trees would not be cut. Environmental Conservation requires that the flow of water be improved or terminated the existing problem entirely. If the application is approved, the builder will comply with engineers to resolve the problem so that existing structures could be put on property in such a way so as to improve the condition of the land.

There being no one further wishing to be heard on motion of Councilman Longo, seconded by Councilman Maloney and unanimously adopted, the Public Hearing was closed, DECISION RESERVED, time: 9:45 P.M.

Respectfully submitted,  
*Patricia Sheridan*

PATRICIA SHERIDAN,  
Town Clerk